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REGIONAL GOVERNMENTAL ARRANGEMENTS IN METROPOLITAN AREAS: NINE CASE STUDIES

C. J. Hein, et al

Washington Environmental Research Center

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Regional Governmental Arrangements in Metropolitan Areas: Nine Case Studies

C.J. Hein, Joyce M. Keys, G.M. Robbins

Institute for Community Studies
Kansas City, Missouri

801500

Environmental Protection Agency

Final Report

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A review of the experience with major forms of regional government in metropolitan areas. Within four broad categories, case studies were done of nine different types of regional governmental arrangements. Findings were that the core of what is called metropolitan government in the United States is the county, usually reorganized & given urban powers. There are no multi-county general purpose metropolitan governments in the United States. Another frequently suggested model, the multi-county, multipurpose metropolitan special district also apparently does not exist in the United States. Patterns of regional governmental arrangements based on the urban county were judged more effective in dealing with emerging environmental management problems than patterns based on special districts and regional councils of government; the two-tier federation was judged about equal to the best of the urban county arrangements. In virtually every case, further state action was needed to make the regional arrangements more effective. Metropolitan regional reorganization has occurred in over 20% of the states, and therefore should be possible in most urban states.

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REGIONAL GOVERNMENTAL ARRANGEMENTS
IN METROPOLITAN AREAS:
NINE CASE STUDIES

ABSTRACT

A review of the experience with major forms of regional government in metropolitan areas. Within four broad categories, case studies were done of nine different types of regional governmental arrangements: Regional Councils: The Southeast Michigan Council of Governments (Detroit) and the Twin Cities Metropolitan Council (Minneapolis-St. Paul); Multi-Purpose Special Districts: Bi-State Development District (St. Louis) and Municipality of Metropolitan Seattle; (3) Unified Urban Government: Annexation (San Antonio); Urban County: Montgomery County, Maryland (Washington, D.C.); Urban County with Some Second Tier Cities: Metropolitan Dade County (Miami); City-County Consolidation: Metropolitan Davidson County (Nashville); Federation (two-tier): Municipality of Metropolitan Toronto.

Findings were that the core of what is called metropolitan government in the United States is the county, usually reorganized and given urban powers. There are no multi-county general purpose metropolitan governments in the United States. Another frequently suggested model, the multi-county, multi-purpose metropolitan special district also apparently does not exist in the United States.

Patterns of regional governmental arrangements based on the urban county were judged more effective in dealing with emerging environmental management problems than patterns based on special districts and regional councils of government; the two-tier federation was judged about equal to the best of the urban county arrangements.

In virtually every case, further state action was needed to make the regional arrangements more effective. Metropolitan regional reorganization has occurred in over 20% of the states, and therefore should be possible in most urban states.

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SECTION I

CONCLUSIONS AND RECOMMENDATIONS

Regional governmental structures in the United States in 1973 are governmental structures still in the process of evolving, even though all of our examples are over ten years old. Thus it would be unwise to take the present structure as definitive, and plans to establish or encourage a particular kind of regional structure should consider the need for continued modification.

The core of what are called regional governmental structures in the United States is the county, usually with a modernized structure and urban powers. There are no multi-county regional governments. The durability of county boundaries and the adaptability of the county to urban government appear to be the most practicable basis for metropolitan governmental reform in the immediate future.

Although it has been offered as one model for metropolitan reform for many years, the multi-purpose multi-county special district does not exist in the United States for all practical purposes, and we found no example of such a district that was successfully operating major programs in a multi-county area.

One of the more interesting and innovative developments in government in metropolitan areas is the Twin Cities Metropolitan Council, which is a state agency with authority over some multi-county special purpose agencies, but no authority over local governments in the area. This agency holds promise as a coordinating and issue-raising mechanism representing state and metropolitan-wide interests.

All of the regional governmental arrangements that we studied have the problem of not being able to make their boundary coincide with the boundaries of regional problems. The boundaries are a better fit than they are in those other metropolitan areas characterized by a multiplicity of municipalities, but the boundary problem is by no means solved.

Federal agencies interested in adequate regional organization at the local level should focus on obtaining a significant local commitment to regionalism. This requires local governments adequate to perform the functions needed at the local level. Politically, it appears most practical to build on the base of the urban county and the larger cities, both of which are structural elements in regional governmental arrangements accepted by the voters in the past twenty years. The can be the building blocks for a locally based regional council, strengthened by state legislation. Membership in the regional council would be compulsory; reporting of planned local activities to the council would be required, but participation in regional programs would be voluntary. Taxing powers sufficient to sustain the council would be granted, so that it would exist independently of local contributions, and independently of federal funds. Within this framework, a local commitment to regional activities might become possible. But the final decision on local regional programs must remain with the local governments concerned if the region is to be meaningful to them. The region must be free to reject federal programs that offer support for local activities. The state might use the regional councils as agents for state enforcement, just as they now use counties and cities to enforce state regulations. But in any true local-based region, enforcement of federal regulations must work through the state or be done separately by federal officials.

REGIONAL GOVERNMENTAL ARRANGEMENTS
IN METROPOLITAN AREAS:
NINE CASE STUDIES

SECTION II

INTRODUCTION

Problems of environmental protection are invariably associated with metropolitan areas because people are the primary polluters and the metropolitan areas are where people are concentrated. Thus, these areas are a major focus of efforts to manage the environment to reduce or prevent pollution.

And since governmental action is required to coordinate environmental management, the kindsof governmental organizations available in metropolitan areas for this effort are a matter of concern to environmentalists.

The study reported on in subsequent chapters is an effort to identify and describe the present status of regional governmental arrangements that exist in metropolitan areas, which are often grouped rather loosely under the term "metropolitan governments." We prefer the term regional governmental arrangements because it describes more accurately the present state of affairs in the governance of metropolitan areas. In our opinion, true regional government does not exist in metropolitan areas in the United States. Indeed, we are not convinced that it would necessarily be desirable given the present situation in most metropolitan areas, where there is a lack of a sense of community and little agreement on common goals for the area.

Nevertheless, a review of the present status of regional governmental arrangements in metropolitan areas is desirable because in the foreseeable future management of the environment will have to work through those regional governmental agencies that exist or might possibly be brought into existence by local citizens over the next few years.

In a sense, the present study follows up on a study of governmental arrangements in metropolitan areas done by Roscoe Martin for the U S Housing and Home Finance Agency something over ten years ago, published in 1963, entitled: Metropolis in Transition: Local Government Adaptation to Changing Urban Needs. In that report, Martin identified 16 different adaptations of local government to urban problems, ranging from informal cooperation to metropolitan government. In 1963 many of these governmental arrangements were relatively new, and Martin concluded that they were promising mechanisms but that there had not yet been enough experience with them to judge their effectiveness (Martin, 1963, p. 144). In our case studies, we report on some of the same cases that were studied by Martin; for each of those, there is now ten or more years of experience since they were studied by Martin and his colleagues.

More recently, the Advisory Commission on Intergovernmental Relations has been engaged in a study of substate regionalism and the federal system which has a much broader focus than our study (U S Advisory Commission on Intergovernmental Relations, May, 1973). And Melvin Mogulof of the Urban Institute recently followed up his extensive study of regional councils of government with an examination of five examples of metropolitan governments that seemed to him to be stronger than councils of governments (Mogulof, 1971, 1972). Both of these recent studies reported on some case studies of regional governmental arrangements, but both of them tended to focus on the newer efforts at metropolitan reform such as Jacksonville/Duval County and Indianapolis/Marion County, which were not included in our study.

The format of our study was a review of the literature on metropolitan government, a classification of the existing regional governmental arrangements, and the selection of nine cases for more extensive study. For each case study, we read all the studies and reports that we could obtain by both local and outside authors and study groups, and examined local government documents such as annual reports and budgets, as well as special studies of governmental functions. We also examined relevant documents and reports on environmental protection programs of the federal and state governments. We monitored at least one local newspaper in each of the areas being studied for a period of nine months, and we interviewed from 8 to 10 local leaders in each of the case study areas. In each case we interviewed elected officials such as mayors or members of the council, chief administrators and major department heads, and knowledgeable local citizens such as representatives of the news media, the League of Women Voters, and university faculties.

The case studies in the next nine chapters are descriptions of the historical development and present status of one kind of regional governmental arrangement. In subsequent chapters we attempt to give our judgement of the present and emerging patterns of regional governmental arrangements and some of their advantages and disadvantages as links in the chain of governmental agencies engaged in environmental management.

Given the present state of knowledge and methodology in comparative studies, our efforts at comparison were necessarily relatively crude. In particular, it seems to us that the state of the arts in the study of metropolitan political systems and metropolitan finance is in such disarray that we can make no comment on the relationship of government structure to costs or to political change in each area.

In addition, the state of the art does not permit the examination of a very key question: would things have been done differently if the regional governmental arrangement did not exist? We can only speculate on what might have been, and in some of the final chapters of the report we do engage in some speculation.

Because our study is focused on governmental structure, we feel it is necessary to call attention to an underlying assumption for which evidence is scanty. The assumption is that structure makes a difference in the performance of governmental agencies. As Mogulof pointed out, at one level it is clear that "restructuring makes a great deal of difference with regard to first tier governments. Metro Toronto and Dade County have irrevocably altered the circumstances of the dominant cities in their areas. Consolidated Jacksonville has taken over and obliterated Duval County" (Mogulof, 1972, p. 135). But at the level of the effectiveness of their performance of governmental activities, it is much more difficult to provide evidence that changes in structure have an effect on performance. One is left with the claim that so many people put so much effort into changing governmental structure in metropolitan areas, and their efforts generate so much opposition, that obviously many people believe that structure does make a difference. But this is a value judgement, and the assumption remains an assumption.

In our classification of types of regional governmental arrangements, we started with Martin's list of sixteen different types of adaptation of local government to urban needs (Martin, 1963), p. 3). In reviewing that list about five years ago, Thomas P. Murphy classed six of them as structural changes: incorporation, annexation, city-county separation, geographical consolidation, the special district, and metropolitan government (Murphy, 1970, p. 20). Mogulof listed five forms of government that appear to be stronger than councils of government: the urban county, transfer of functions to state government, metropolitan special districts, federation, and city-county consolidation.

Our classification and the list of our case studies is shown in Figure 1. There are four different structural arrangements: regional councils, multi-purpose special districts, unified urban governments, and the metropolitan federation (two-tier). Excluded from our classification and from our study is the Los Angeles County model, with its combination of an urban county providing services directly to unincorporated areas, full-service municipalities, and municipalities receiving some or all of their services from the county by contract. This model was excluded because it is generally classified as a procedural arrangement, not a structural arrangement.

Eight of our case studies are clearly structural arrangements. The exception is the regular council of government, of which our example is the Southeast Michigan COG. In 1963, Martin could classify the council of government as a procedural arrangement, which he called the conference approach, and in 1970 Murphy was still classifying the council of government as a procedural arrangement not a structural arrangement (Martin, 1963, p. 6; Murphy, 1970, p. 20).

But since Martin collected his data for his 1963 report, councils of government have acquired some of the attributes of structural arrangements. Some of them have been given planning powers, so that one might consider them to be areawide special districts for the function of planning. But more importantly, many councils of government have been given a review function by the federal government, notably the A-95 review function, which makes them something more than merely the conference approach of 1963, if still something less than a real structural change on the regional scene.

This change of the council of government in the direction of structural characteristics, and the fact that Mogulof used the COG as his base point for metropolitan governments, defined as arrangements stronger than COG's, led us to the decision to include a case study of a council of government even though strictly speaking it might not be a structural arrangement.

REGIONAL COUNCILS

Regular COG	Southeast Michigan COG (Detroit)
State-Mandated Council	Twin Cities Metropolitan Council (Minneapolis-St. Paul)

MULTI-PURPOSE SPECIALDISTRICT

Single County	Municipality of Metropolitan Seattle
Multi-County	Bi-State Development District (St. Louis)

UNIFIED URBAN GOVERNMENT

Annexation	San Antonio, Texas
Urban County	Montgomery County, Maryland (Washington, D.C.)
Urban County with Some First Tier Cities	Metropolitan Dade County, Florida (Miami)
City-County Consolidation	Nashville-Davidson County, Tennessee

FEDERATION

Two-tier	Metropolitan Toronto

Fig. 1. List of Case Studies

In choosing our case studies, a primary consideration was to have an example that had been in existence for at least ten years. With one exception, all of the regional governmental arrangements in our case studies have existed for ten years, and a number of them have existed for fifteen or twenty years. The Twin Cities Metropolitan Council has existed only since 1968, but it is the only example of its kind. And it has a considerably longer "prehistory" as a regional planning council, in which form it was included in Martin's 1963 study.

The order of presentation of the case studies will be first the two regional councils, followed by the two multi-purpose special districts, the four unified urban governments, and the federation.

SECTION III

SOUTHEAST MICHIGAN COUNCIL OF GOVERNMENTS

Introduction and History

The applied concept of region in governmental structure at the metropolitan level lacks precision and definitiveness. Councils of government are perhaps the most obvious examples of what we think constitutes a metropolitan region. Typically, a COG will encompass the Standard Metropolitan Statistical Area as established by the Bureau of the Census. The SMSA represents the most explicit set of guidelines for defining the "metropolis" (Executive Office of the President, Office of Management and Budget, Nov 1971).

The theoretical difficulties of accurately delineating the metropolitan region remain unresolved; the practical necessity of governmental service areas has resulted in a variety of ways of defining the region. A recent report by a federal task force studying SMSA's noted the areal differentials for the purposes of administering federal multi-jurisdictional programs: "Agencies typically use a wide range of geographic areas for program purposes, some larger, some smaller than Standard Metropolitan Statistical Areas" (U S Office of Management and Budget, 1973, p. 159).

Depending on what we expect the COG to accomplish, the federal inconsistency in regional boundary-setting substantively affects the COG's position as a "clearinghouse" for federal grant programs. Melvin Mogulof, in a study of council of governments, describes the difficulties of realization of regionalism within the context of the logic of federal grant programs:

> . . . the relative independence of various federal actions from each other (and at times the relative independence of actions within a federal agency) confront the COG with a regional terrain which can seem almost impossible to put in order. These various federal planning grants go to a variety of forces in local and state government, as well as to independent and quasi-governmental agencies. Important client/constituency lines develop between federal agencies and local grantees which impose serious constraints on the COG as, and if, it attempts to become the super comprehensive planner for the metropolitan area (Mogulof, 1971, p. 28).

Mogulof concludes that there is little support for the idea that grant applications are subject to the requirements of a comprehensive regional plan through the A-95 review process. The present activities of the COG are "loose enough" so that what the region is and can be are subject to a variety of interpretations. The Task Force report on SMSA's indicates the existing non-threatening kind of regional concept represented by COG and the designation of SMSA's:

> The concept has provided a neutral means of specifying interjurisdictional responsibilities for solving areawide metropolitan problems. The

> SMSA concept has thereby given impetus to the organization of areawide planning organizations and councils of government (U S Office of Management and Budget, 1973, p. 160).

So long as voluntary participation in a COG facilitates receiving federal funds, and so long as it is to the advantage of counties to be included within a SMSA to receive some kinds of additional funds, the definition of region will remain more a problem of theory than practice. But if we start taking seriously the need for a regional agency with significant powers to insure conformity to a regional plan, the present looseness of regional definition may prove inadequate.

The Southeast Michigan Region

The Southeast Michigan Council of Governments provides an interesting grouping of the different things implied by the term "metropolitan region." Typically, when the reference is to the kind of metropolitan problems generated by central city/suburban disparities, the area of reference in Southeast Michigan is the Detroit SMSA. This urbanized core of the Southeast Michigan Region is composed of three Michigan counties — Wayne (Detroit), Macomb and Oakland. As presently constituted, the Southeast Michigan Council of Governments includes a seven county area. In addition to Wayne, Oakland and Macomb, SEMCOG includes Washtenaw, St. Clair, Livingston and Monroe counties. Washtenaw County constitutes the Ann Arbor SMSA, and Monroe County is included in the Toledo, Ohio-Michigan SMSA. Livingston and St. Clair counties are not a part of a Standard Metropolitan Statistical Area. The county government of Macomb is currently not a member of SEMCOG.

Of the seven counties in the SEMCOG area, six exceeded the national growth average of 13.3% between 1960 and 1970.

Table 1

Population, 1960 and 1970, in SEMCOG Area

County	Population 1960	Population 1970	% Change 1960-1970	% of Total 1970
Wayne	2,666,297	2,670,368	0.1	56.4
Oakland	690,259	907,871	31.5	19.2
Macomb	405,804	625,309	54.1	13.2
Washtenaw	172,440	234,103	35.8	4.9
St. Clair	107,201	120,175	12.1	2.6
Monroe	101,120	118,479	17.2	2.5
Livingstone	38,233	58,967	54.1	1.2
Total	4,181,354	4,735,272 Avg.	13.3	100.0

The proportion of Wayne County to the total area population declined from 65% to 56% during the decade.

The City of Detroit's population declined by 10% between 1960 and 1970. The net loss of 159,000 residents during this decade was the result of a loss of 344,000 in the white population and a smaller increase of 185,000 in the population of Negroes and other races.

According to the 1972 Census of Governments there were a total of 392 local governments in the SEMCOG area: 7 counties, 115 municipalities, 124 school districts, 120 townships, and 26 special districts.

Interlocal Agreements

A major response to the need for area government of the Southeast Michigan area has been the use of interlocal agreements. In a study sponsored th The Metro-Fund in 1965, it was reported that there were a total of 1,087 such agreements to provide services among 221 units of local government in a six-county area. Of these over 80% were accounted for by six units of government (Wayne 340, Oakland 206, Detroit 171, Macomb 96, Washtenaw 39, and Pontiac 20). There were 36 different municipal functions involved in these agreements, the major ones being fire protection, streets, water supply and sewage treatment (Metropolitan Fund, 1965, p. 47).

In terms of service impact, the City of Detroit's water system must be accorded a significant regional role via its service agreements with other jurisdictions. Since 1873, the Water Board has been authorized to extend services beyond Detroit city limits. The water system's 1924 development plan indicated its ability to build a metropolitan areawide water system. In 1966, the City signed a contract with the State of Michigan to perform pollution control activities for southeastern Michigan. Pollution control activities have grown from projects totaling $13,000,000 prior to 1969 to projects totaling $60,000,000 in 1971. The Water Department developed the capacity to administer a pollution control program involving more than 250 units of autonomous governments. In 1972 the Department was providing water and processing sewage for 4,000,000 people in Detroit and 88 nearby communities and for all industry in the area (Remus, 1972). It is not the major supplier in Washtenaw, Monroe, and St. Clair counties (Metropolitan Fund, 1973).

The Special District

The special district represents another response to the perceived deficiencies of general purpose local government. The major ones in the Detroit area are the Huron-Clinton Metropolitan Authority, the Southeast Michigan Transportation Authority (SEMTA), and the Wayne County Road Commission. (See Figure 2.)

1970 Population (SEMCOG Area) — 4,735,272
Land Area — 3,792 sq mi
Total Units — 392

Regional (Multi-County)	Southeast Michigan Council of Governments Livingstone Co. Monroe Co. Oakland Co. St. Clair Co. Washtenaw Co. Wayne Co. Board: 100-member Federation of Elected Officials Functions: Regional Planning & A-95 Review	Huron-Clinton Metropolitan Authority Livingstone Co. Macomb Co. Oakland Co. Washtenaw Co. Wayne Co. Board: 7-member Bd., 2 appointed by Gov. & 1 by each county Functions: Metropolitan parks & parkways	Detroit Metropolitan Water Department Water to 60 units in six counties. Sewage treatment in Wayne & Oakland Counties. Provided by contract Department of City of Detroit	Southeast Michigan Transportation Authority Macomb, Monroe, Oakland, St. Clair, Washtenaw & Wayne Counties Board: 3 members appointed by Gov., 6 by counties Function: public transit
County	General Purpose County Governments comprising 3 SMSA's: Wayne, Oakland, & Macomb; Monroe, (with Wood Co., Ohio); and Washtenaw; plus 2 (Livingstone & St. Clair) outside SMSA's	Wayne Co. Road Commission Board Org. - 3-mem-Bd. directly elected Functions: Roads, sewage disposal, Detroit Metro Wayne Co. Airport, parks & parkways		
OTHER	114 Municipalities	124 School Districts	120 Townships	22 Other Special

Fig. 2. Governmental Characteristics — Detroit Metropolitan Area

The Huron-Clinton Authority, created in 1940 following the passage of state enabling legislation in 1939, operates and maintains parks and recreational facilities throughout the five county area. Under the enabling statute, it can acquire and operate facilities outside of the five-county region. It has the power to levy a tax not to exceed 1/4 mill on each dollar of assessed valuation. The Authority is viewed by Detroit interests as having primarily a suburban orientation in its park acquisition and development program. From the point of view of the Detroit interests, which currently are not represented on the Authority Board, it is this orientation which accounts for the lack of Huron-Clinton parks in the City and only marginal parks in Wayne County. This issue came to a head recently when the Authority proposed to establish Mill Creek Park in Washtenaw County which SEMCOG had approved in routine A-95 review procedures. SEMCOG was placed in the unenviable position of having second thoughts on its approval particularly when analysis of accessibility revealed that only 10% of the population in HCMA's 5-county area lived within an hour's drive of the proposed park. As SEMCOG pointed out: . . . "this factor was overshadowed at the time by the apparently widespread support for the project among Washtenaw County officials, whose own sizeable constituency would provide by far the heaviest client group for the proposed facility" (Southeast Michigan Council of Governments, Spring 1973, p. 5). This admission goes to the heart of a basic problem faced by COG's in attempting to act as a regional force — most local projects will be approved if the local constituent units support them.

Further, the Authority has not accepted the City of Detroit's offer for the Authority to take over Belle Isle Park, an island in the Detroit River at its confluence with Lake St. Clair. From the standpoint of the Authority, its interests lie in preventing urban sprawl and in developing large parks of about 3,000 acres with water available. With regard to Belle Isle Park, it would take about $2,000,000 to upgrade. Further, failure to acquire the park immediately does not represent a lost opportunity; the Park will always be there. It is speculated also that waiting may bring about a situation where Huron-Clinton could go to the voters for an increase in its mill levy which it could do with some prospect for success if it was supported by the Detroit and Wayne County electorate.

SEMCOG finds itself drawn into this disagreement because of its planning function and the Detroit and Wayne County representation on its Board and Executive Committee. This kind of an issue is typical of the problems between special districts and the COG's which underlie the proposals for the COG's acting as an umbrella agency over the special districts and authorities.

SEMTA was created by the State of Michigan in 1967 to operate in a six-county area. The Board was composed of nine members — three appointed directly by the Governor and six by the Governor from lists of nominees submitted by the boards of commissioners of the six counties. In 1971 the power to appoint the six members was given to SEMCOG. Such appointment is made by majority vote of the SEMCOG representatives from the six counties served by SEMTA. SEMCOG also was given the power to review and comment on the Authority's budgets, audits and capital improvement plans and it has exercised this power. In addition, SEMCOG's planning division has assisted SEMTA with data to assist it in corridor route selection (Metropolitan Fund, 1973, p. IV-9).

The Authority was created to plan, acquire and operate, but it has been confined to the first function for all practical purposes, because of a lack of funding. Its only funds have been an annual $200,000 from Wayne and Oakland counties. Although a 1/2 cent gas tax was allocated to SEMTA in 1973 and the City under a new state law can provide a subsidy to meet operating deficits, SEMTA is reluctant to acquire the major public transit system, the Detroit Street Railway, because of a pension fund liability. This type of liability is not within the power of the City to subsidize. The current Governor has entered the picture by recommending an appropriation of $3,000,000 from the state's general fund to help SEMTA buy the DSR (Detroit Free Press, Jan 13, 1974, p. 2C).

The Wayne County Road Commission, governed by a 3-member elected board, operates in Wayne County outside the City of Detroit, partly as an agent of the Wayne County Board of Commissioners and partly independently. Acting as Wayne County's Department of Public Works it is developing a secondary sewage treatment plant on the Detroit River which will be operational by mid-summer of 1974 at a total cost of about $27,000,000, of which $7 million comes from a local bond issue and $20 million from Federal and State grants. WCRC operated the County Metropolitan Water Supply System as an agent of the county until 1960 when it was ordered by the County to sell it to the City of Detroit. The Commission retained title to the water system under a lease-purchase arrangement in order that it could assist municipalities to construct improvements by acting as a sponsor of bond issues.

Since Road Commissioners act as County Park Trustees under Michigan law, the Commission operates the Parks and Parkways system in Wayne County. A master plan was developed in 1966 and is implemented as funds become available. It is currently operating a nature center, a forest and wild life preserve and 36-hole golf course totaling approximately 4,279 acres.

The road system operated by the Commission consists of 711 miles of primary roads, 554 miles of local roads, and 437 miles of state trunklines and freeways under contract with the State. The Commission is also a coordinating agency for the Federally funded TOPICS (Traffic Operation Program to Increase Capacity and Safety) which is administered by the Michigan Department of State Highways.

The Commission also operates the Detroit Metropolitan Wayne County Airport. It is responsible for the $250 million development program, which is currently in its first phase and is intended to permit the airport to handle estimated 1990 traffic (Wayne County Road Commission, n.d.).

Other State and Local Responses

The Detroit region has seen the usual kind of reform efforts directed at local government structure. A 1969 vote rejected a proposal to create a charter commission for Wayne County. (This issue will be on the ballot again in 1974).

In 1972, a similar effort directed at the City of Detroit also failed.

Partly from the impetus of some studies commissioned in 1965 by SICC and the Metropolitan Fund, state legislation has been passed which is directed more toward making it possible to work toward solutions within present structures.

Michigan's Urban Cooperation Act of 1967 permits any local unit of government, including school districts, to exercise powers jointly or carry out service functions in cooperation with other local units. The Act also authorized the voluntary formation of councils of governments, inter-local contractual agreements with state agencies and with local governments in other states and Canada.

The Transfer of Functions Act of 1967 allows local units to transfer functions by inter-local contractual agreement. Many of the counties in Southeast Michigan have assumed some urban functions, particularly in water and sewer system maintenance, water billing and collection, and preparation of tax rolls and tax bills. That is not to suggest that there are not some serious impediments to local governments transferring to, or merging functions with the county. A recent news story from Detroit indicated that the merger of health services for Wayne County and Detroit was something "every man" on the negotiating committee thought was desirable (Detroit News, March 2, 1973). However, the cost to the county, and the city's concern that the existing quality of Detroit's programs be maintained, created a stalemate, despite the essential merits of the merger (as determined by a $168,000 two-year study project financed by private and state grants).

In 1970 the Michigan state legislature created the State Boundary Commission to review petitions for incorporation of new cities and villages, and for consolidation of two or more cities, villages or townships as a new city. In 1971 the annexation law was changed from the freeholder petition-dual election system to a system which executes annexation to home rule cities by order of the State Boundary Commission.

State law in Michigan has broadened the potential for intergovernmental cooperation, but negotiation and execution remain a local prerogative, subject to the give and take of local interests.

Origins of SEMCOG

The rapid growth of the area was causing severe problems in such areas as water supply, sanitation and drainage, and in the movement of traffic. Initiated in the early 1950's by Edward Conner, the Chairman of the Wayne County Board of Supervisors, conferences were held by the chairmen of several counties and a committee was formed to discuss inter-county affairs. The counties involved initially were Wayne, Macomb, Oakland, Washtenaw, and Monroe; a year later Monroe County joined as the sixth and final member.

The committee was named the Supervisors Inter-County Committee. It had no legal status until legislation passed in 1957 recognized such agencies and permitted them to receive funds from counties and other public bodies and from private sources.

Although only counties were represented on the Committee, county boards of supervisors under Michigan law were composed partly of representatives of incorporated municipalities and the cities were, thus, indirectly represented to some extent on the Committee.

The Committee operated with a limited budget and small staff. Technical assistance was provided by local units of government and by such agencies as the Detroit Metropolitan Regional Planning Commission, with which it maintained a close working relationship.

During its existence, SICC focussed on problems of water supply, sewage treatment, drainage, roads, and air transportation. Its accomplishments include:

1. A study of water supply which was a factor in the decision to continue using the Detroit Water Department as the basic supplier of water and a broadening of its 4-member board to include 3 members from outside the City of Detroit. (The Mayor of Detroit continued to be the appointing authority.)

2. Creation of an inter-county Sanitation Council of Southeastern Michigan which carried out studies to develop a sewage grid for the region.

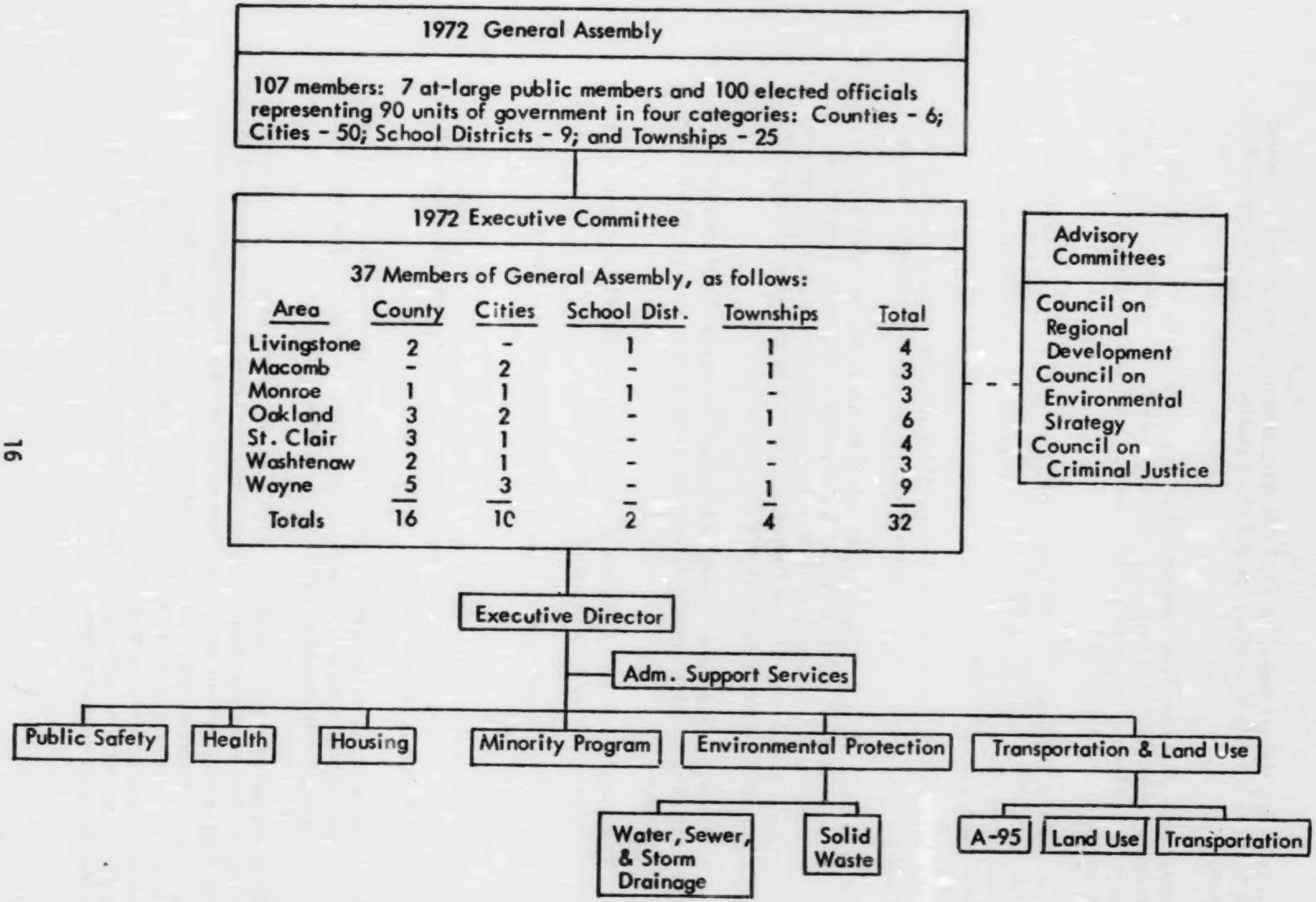
3. Formation of the Southeastern Michigan Inter-County Highway Commission for highway planning.

4. Compilation of the first inventory of public works needs for a metropolitan area.

5. Participation in the formation of a research agency, originally the Southeastern Michigan Metropolitan Community Research Corporation, and later The Metropolitan Fund.

6. Helped secure legislation helpful to county governments: it was not successful however, in getting legislation for region-wide programs, except that permitting its own formation.

After a decade of formal operation, SICC and the other major regional body — the Detroit Metropolitan Area Regional Planning Commission — appeared to have major limitations in their ability to "get on top of" the metropolitan problems. The SICC represented only one unit of government, the county; the Mayor of Detroit, for example, had no formal voice in SICC. The planning agency, DMARPC, was entirely separate from SICC, the program development agency. Finally, there was no authority by these bodies to coordinate the programs of the special purpose authorities.


1972 General Assembly
107 members: 7 at-large public members and 100 elected officials representing 90 units of government in four categories: Counties - 6; Cities - 50; School Districts - 9; and Townships - 25
1972 Executive Committee
37 Members of General Assembly, as follows:
Advisory Committees
Council on Regional Development
Council on Environmental Strategy
Council on Criminal Justice
Executive Director
Adm. Support Services
Public Safety
Health
Housing
Minority Program
Environmental Protection
Transportation & Land Use
Water, Sewer, & Storm Drainage
Solid Waste
A-95
Land Use
Transportation

Area	County	Cities	School Dist.	Townships	Total
Livingstone	2	-	1	1	4
Macomb	-	2	-	1	3
Monroe	1	1	1	-	3
Oakland	3	2	-	1	6
St. Clair	3	1	-	-	4
Washtenaw	2	1	-	-	3
Wayne	5	3	-	1	9
Totals	16	10	2	4	32

Fig. 3. Organization and Functions — Southeast Michigan Council of Governments

The Metropolitan Fund initiated in 1964 a three-year study discussion process which resulted ultimately in SEMCOG. The Citizens Research Council of Michigan, a private research organization, was asked to develop a number of background papers on governmental organization for the area. A policy committee after study of these materials posed two alternatives: 1) a multi-county government, which was discarded as unfeasible, and 2) a continuation of the present system of local governments and interlocal agreements supplemented by a council of governments representative of all units of government. The latter alternative was accepted. The proposed council would be a forum for discussion, evaluation, and preparing proposed solutions. It would have neither taxing nor bonding powers. SICC and DMARPC would be merged into the council.

An implementing body, the Committee of 100 consisting of elected and appointed officials, was appointed in late 1965. By early 1967, a number of governing bodies had passed the appropriate resolutions of intent and the prospective members of the proposed council convened in May, 1967, to begin formal organization. SEMCOG was formally created on January 1, 1968, SICC was disbanded, and the Detroit Metropolitan Area Regional Planning Commission became the planning division of SEMCOG.

Structure and Function

There are two policy bodies: the General Assembly and the Executive Committee. (See Figure 3 .) The General Assembly consists of:

1. One voting member selected by each of the member governments in the seven-county area. Such member must be an elected official. (Presently about 100 of the 400 eligible units of government are members of SEMCOG.)

2. Alternates to the voting member who do not have to be elected officials.

3. As an exception to the above, the City of Detroit and Macomb and Oakland counties each have one additional voting representative and Wayne County is allowed three additional representatives.

4. Seven "regional statesmen," citizens recognized for their "civic or public interests and accomplishments" who serve as at-large non-voting representatives. In 1972, the individuals holding these positions were: a county director of public works, the Secretary of State, a professor of political science, a utility board chairman, president of a chamber of commerce, a realtor; and a labor official (Southeast Michigan Council of Governments, Jan 1973, & SEMCOG, By Laws, n.d.).

In the 1972 General Assembly the total number of members other than the at-large was 201, representing each county, as follows:

Wayne	66
Oakland	53
Macomb	26
Washtenaw	21
St. Clair	13
Livingstone	12
Monroe	10
	201

The number of governmental units represented in the 1972 General Assembly totaled 90, as follows:

	Type of Government				
County	County	City	Township	School District	Total
Wayne	1	17	7	4	29
Oakland	1	16	7	1	25
Macomb	-	6	6	1	13
Washtenaw	1	4	4	1	10
St. Clair	1	3	1	-	5
Livingstone	1	1	-	1	3
Monroe	1	3	-	1	5
Total	6	50	25	9	90

The total number of members and the total number of governmental units in Wayne County amount to approximately 30% of the total. This contrasts with the 56% that Wayne County population constitutes of the total. Thus SEMCOG has not achieved complete one-man-one-vote, but it is doubtful that any other COG has either. That this may be an issue in Detroit is indicated in the fact that the proposed charter requires a one-man-one-vote on any board on which the City is represented.

The Executive Committee is made up of members of the General Assembly. Total membership is allocated among the various counties according to the following formula:

Area	From Cities & Villages	From Co. Govt	From School Districts	From Townships	Total
Livingstone	1	1	1	1	4
Macomb	2	2	1	1	6
Monroe	1	1	1	1	4
Oakland	2	2	1	1	6
St. Clair	1	1	1	1	4
Washtenaw	1	1	1	1	4
Wayne — Outcounty	2	4	1	1	11
Wayne — Detroit	2		1		
Total	12	12	8	7	39

Membership is granted on the Executive Committee when 1/3 of the local units in a bloc within a county are members of SEMCOG. The 1972 Executive Committee had a total of 32 members. Ex-officio, non-voting membership on the Executive Committee is given to representatives of the State and Federal government, SEMTA, Detroit Water Board, the Huron-Clinton Metropolitan Park Authority, and to various other functional planning groups.

The responsibilities of the Executive Committee are to propose an annual budget and membership fee schedule to the General Assembly; appoint, fix salary of, and remove the Executive Director; accept funds; serve as financial control body for all budgeted items; appoint special committees; and handle all routine matters.

The principal responsibilities of the General Assembly are to adopt the Council budget and membership fee schedules; adopt or amend the bylaws; resolve any membership question; and review any action of the Executive Committee. For certain types of actions the General Assembly has a special voting procedure whereby each of the four basic forms of constituent governments — cities and villages, counties, school district and townships — vote as a bloc with a concurrent majority in three of the four blocs required for determination of an issue. This procedure is required:

- to override any action of the Executive Committee
- to amend the by laws
- to propose amendments to the intergovernmental membership agreement
- on any other matter when 10% of the membership of any one of the four blocs requests the procedure

On all other matters, voting requires a simple majority of those present. The organizational structure is intended to insure the optimum application of technical skills in behalf of the body politic. Data gathering and its interpretation are carried out by professional staff technicians. The data and recommendations are then submitted to a screening group of elected officials, other technical staff, and citizen group representatives.

The recommendations of the screening groups are then transmitted to one of three councils created in 1972 — the Council of Regional Development, the Council on Environmental Strategy, and the Council on Criminal Justice.

These councils are a "mix" of elected officials, appointed officials, and citizens. Various committees and task forces (sub-program elements) relate to these three major components of SEMCOG's programs.

The Council of Regional Development encompasses the Transportation Task Force, the Housing Committee, and the Recreation and Open Space element. Related to the Council on Environmental Strategy are the Sewer-Water-Storm Drainage Committee, the Solid Waste Disposal Committee and the Task Force on Air Pollution. During 1972 a special ad hoc committee on Polluted Dredgings functioned in this latter area.

In 1971 the internal organization was revamped and the fee structure modified to bolster an inadequate financing base. Major administrative divisions were abolished and a program oriented structure created in their place.

Under the revised fee structure, the six participating county governments would guarantee SEMCOG funds equal to .0016% of each county's assessed valuation, which would raise the level of funding from the current $200,000 to approximately $367,000 annually. The obligation of each county would be reduced by the amounts paid in by cities, school districts, and townships, within that county thus providing a direct incentive to the counties to solicit memberships from other units of government.

Affecting SEMCOG's financial viability was a decision by the General Assembly in 1973 that it would not apply for revenue sharing funds.

Accomplishments and Problems

The major accomplishments of SEMCOG during its four years of operation are summarized below (SEMCOG, "Tomorrow Today," 1973).

Acted as a clearinghouse for federal grants in performing sign-offs on application for federal funds in terms of the conformity of the proposed project or facility with the regional plan.

Carried out responsibilities for comprehensive criminal justice planning as the state-designated LEAA regional agency. The criminal justice region was coterminous with the SEMCOG's seven-county region.

Helped create Southeast Michigan's Comprehensive Health Planning Council.

In the field of education, beginning in 1970 provided on-the-job experience for university-level minority group students in urban planning. In 1971 a program was added whereby University of Michigan graduate level minority students could obtain training in municipal management as an entry into City Hall positions in administration. In 1972, developed a proposal for university-level training in transportation for minority group students at the University of Michigan's Transportation Institute.

Developed and currently implementing the Governor's Comprehensive Manpower Plan and Ancillary Manpower Planning Boards in Planning District 1 — the seven counties of Southeast Michigan. Under consideration is the creation of a Regional Manpower Planning Council to analyze more definitively manpower delivery services and to develop plans.

Operated the Census Service Center, designated by the Bureau of the Census as the 1970 Census Tape Processing Centers for the State of

Michigan for the sale and dissemination of census data.

Completed over ninety study and planning reports and technical manuals. Major examples are (Southeast Michigan Council of Governments, June 1973):

> Completion of TALUS (Transportation and Land Use Study) begun under the sponsorship of the Metropolitan Detroit Regional Planning Commission and inherited by SEMCOG when the Commission was assumed.
>
> Housing Needs of Southeast Michigan, 1970-1980.
>
> A report on the problems, goals, programs, and projects in the field of criminal justice planning.
>
> Studies on solid waste, water, sewerage, storm drainage.
>
> An inventory of programs to combat drug abuse in 1970.
>
> A report on community antenna television in Southeast Michigan.

SEMCOG and Environmental Programs

SEMCOG's involvement in EPA programs is indirect and advisory. The regional point of view exists because the Council is there, but the operation of environmental programs are conducted by the Federal, State and local governments independently of SEMCOG.

Air pollution control is basically the responsibility of the county, although Wayne County is the only county actively involved. SEMCOG is interested in establishing standard indexes (aggregate measures of all pollution) throughout the seven counties, but has been unable to obtain funding.

The major water pollution control activities are by the City of Detroit. Problems have arisen recently in SEMCOG's denial of A-95 clearance for separate treatment plants proposed by the City of Warren in Macomb County (which is not a member of SEMCOG) and the City of Ann Arbor in Washtenaw (which is a member). The proposed treatment plants would have discharged effluent into the Clinton and Huron Rivers which do not have the capacity of the Detroit River. Supported by the Federal government in the case of the Warren proposal, SEMCOG took the position that these systems should hook into the City of Detroit system. The outcome of the Warren issue was that that City was able to obtain voter approval of an $8,000,000 bond issue which eliminated the need for Federal assistance. The Ann Arbor issue is as yet undecided. Aside from this kind of involvement, SEMCOG is interested in obtaining measures of quality at predetermined points in the waters of the area, but again have not been able to obtain funding. There is also an issue with the State Department of Natural Resources which has the power to apply for funds for sewer lines and treatment plant in the out county areas. SEMCOG claims that there is not only the problem of straightening out procedures for clearinghouse review involving themselves, the State, and the Chicago regional office of EPA, but that the State is applying for treatment plants in excess of the population forecasts by SEMCOG.

Flood plain zoning is the responsibility of the minor civil divisions including the townships, and there are zoning ordinances, but no region-wide flood plain regulations.

Solid waste disposal is currently handled by various sub-regional authorities through 39 sanitary landfill operations and 3 incinerators (the latter accounting for only 2,500 tons of the estimated 34,000 of refuse produced daily). The daily production is estimated to increase 43,000 tons in 1980 and 54,000 tons in 1990. The Solid Waste Management Committee of SEMCOG is developing a plan of action for dealing with the solid waste problem on a regional basis.

The "Umbrella" Proposal

"Our dilemma is to retain local home rule while combining our total resources for regional challenges beyond our individual capabilities." That dilemma articulated by the Committee of One Hundred in 1965 remains the major obstacle to the development of a regional governing capacity for metropolitan areas. Despite the emphasis on an "umbrella" or "split-level" concept that preserves local government and establishes regional powers, there will continue to be painful conflicts over the division of authority and powers.

In May of 1972 at a government-business conference in Detroit, former Michigan Governor and Secretary of HUD, George Romney, made a plea that leaders in Southeast Michigan coordinate their ideas on what needed to be done. Romney labelled this search for a better way "The Option Process."

Growing out of this conference in Detroit, Governor Milliken appointed a Task Force to "examine the problems of the Detroit Metropolitan area and to recommend effective approaches to solving them" (State of Michigan, 1973, p. 1).

The essence of the recommendations are that "a regional body, such as SEMCOG, must be continued and must be substantially strengthened and extended in function to meet the compelling need for improved coordination of regionally significant governmental services, functions and resources in the seven counties of Southeast Michigan" (State of Michigan, 1973, p. 8).

The authority of the regional agency would rest on a much more substantial base than the existing A-95 review process, positing the special district as an operational arm of the regional agency. The recommendations of the Task Force were that:

(1) The Agency exercise A-95 review process for all state and federal programs within the region.

(2) The Agency appoints the governing bodies for all regional single- or multi-purpose authorities (unless specifically exempted).

(3) State legislation to enable the Agency to approve the budgets of these regional authorities.

(4) Federal, state and local governments comply with regionally adopted plans and program priorities, with state legislation requiring that local comprehensive land use plans be consistent with the regional plan, with the provision for an appeal procedure.

Those authorities recommended to be contained in the "umbrella" powers of the regional agency would unquestionably give the regional agency a significant governing capacity. Included in the Task Force recommendations were three new authorities: an Economic Expansion and Employment Authority; Regional Multi-Service Centers and Coordinating Office (for poverty areas); and, a Criminal Justice and Manpower Institute.

The existing authorities to be brought under the "umbrella" include: The Southeast Michigan Transportation Authority, Detroit Metropolitan Water Board, the Huron-Clinton Metropolitan Authority, the Comprehensive Health Planning Council, and the Law Enforcement and Criminal Justice Planning Council.

It would be difficult to characterize the recommended regional agency as voluntary, since the proposal suggests that local government financial participation should be required by State legislation.

The Task Force recommendations waffle somewhat on membership of the Agency, settling for a somewhat ambiguous — "at least 50% elected officials from general purpose local governments" — should constitute its members (State of Michigan, 1973, p. 9). Given the substantial policy-making capacity of the proposed Agency, representation is one of the thornier issues. Most of the section on "Comments by Task Force Members" in the report focuses on concern about the method of selecting the regional representatives of such a body. In fact, the number of dissenting opinions on this issue in minority reports would call into question the extence of a majority opinion on the subject.

Predictably, the Task Force representative from the Clinton-Huron Metropolitan Authority took issue with the 'umbrella" concept (State of Michigan, 1973, p. 31):

> The Agency as stated above is going beyond the limits of comprehensive planning as its major function. It is bordering on a form of regional government in the form of veto power much the same as a city council would have over the various city departments.

The change from the present operations of SEMCOG to the Agency recommended by the TOP Task Force has not been accepted thus far by the state legislature. There appears to be very little support, if any, by the legislative representatives from the area. The only concrete outcome to date from the Task Force studies has been the creation of 14 state planning regions and the designation of 11 agencies out of 14 possible as the regional planning commission, and the appropriation of $750,000 by the State legislature to help start the commission. (SEMCOG received $100,000 from this appropriation.)

Conclusion

The basic dilemma of SEMCOG, as with any council of governments, is that it does not have the resources to enable it to have any significant regional impact, although that is the purpose of its existence. Being advisory, it cannot impose its recommendations on the operating agencies. The construction of facilities that breed development, for example — water and sewer lines and freeways — are under the control of separate agencies with no formal linkage to SEMCOG (SEMTA excepted). These agencies tend to be expansionist, and each operates independently of the others, unemcumbered by accountability for their combined impact upon the region's environment. The "umbrella" proposal was intended to strengthen the COG in this regard, but it runs so counter to our political traditions that it cannot be regarded seriously at the present time.

The effectiveness of the clearinghouse function as a mechanism for enforcing a regional plan is well summarized by Melvin Mogulof in his recent study of councils of government (Mogulof, 1971, p. 28).

> The essential structural problem for the COG is that it is pulled in two directions: (1) to protect and serve its member governments, and (2) to make judgments and take actions which may be perceived as harmful by the COG's member governments. As a result the COG finds it extremely difficult to do things such as make critical comments about applications of member governments for federal funds, establish priorities which affect member governments, or influence local governmental actions in an attempt to make them consistent with regional planning.

The voluntary nature of COG membership adds to its problems. In Southeast Michigan, one of the more populous counties and its principal city — Macomb County and the City of Warren — have opted not to join SEMCOG. When the returns are finally in on the decision of Warren to use local financing for its sewage treatment when SEMCOG refused to approve its application for federal funds, we will be better able to judge the strength of the clearinghouse mechanism to encourage membership in the regional agency. With only 25% of the eligible units now members of SEMCOG, it would appear that an A-95 review has little potential in this regard.

Funding of the COG is primarily Federal and State derived; less than 25% of SEMCOG's budget comes from membership fees. This kind of financial structure must be viewed as possessing neither: (1) a significant local commitment to regionalism; nor (2) a future stability in view of the tenuous nature of federal grant programs.

Another problem hindering the effectiveness of COG's is the fragmenting effect that Federal categorical grant programs have upon the kind of overall regional coordination that the COG is supposed to achieve. These separate programs bear varying degrees of relatedness to the COG depending upon the particular one involved, but they do not have the organic relationship that would make them subject to the decisions of the COG.

The combination of: (1) the separation of planning from operations; (2) policy control by a federation of local government officials protecting their own interests; (3) the voluntary character of membership; (4) an inadequate financial structure; and (5) the divisive effect of federal grant programs contributes to the COG's assuming a role which must be preoccupied with survival and a great reluctance, therefore, to become engaged with sensitive issues — such as low income housing dispersal — which might produce local disagreements and possible disengagements. The COG must, therefore, be viewed as ineffective as a regional force or as an embryonic stage in true regional government. Its transition to a stronger position would appear to depend upon State government.

SECTION IV

THE TWIN CITIES METROPOLITAN COUNCIL (MINNEAPOLIS-ST. PAUL, MINNESOTA)

Introduction and History

The Metropolitan Council is a state administrative agency whose jurisdiction covers the seven counties of the Minneapolis-St. Paul metropolitan area. The members of the Council are appointed by the Governor, with the consent of the Senate, from districts of equal population within the seven county area. Council members must be residents of the district they represent, but are not elected officials of local governments within the area. From 1967 through 1973, appointment as members has tended to go to community leaders and influentials who hold no local elective office. In the earlier part of the period, appointments were made from the business community, and more recently prior service to the Democratic-Farmer-Labor party is a common characteristic of Council members.

Thus, the Council represents a new and different kind of regional agency, one that reflects the strong interest of the state legislature in the development of the metropolitan area, and at the same time represents the interests of local citizens and community leaders.

Like the other agencies described is this report, the Twin Cities Metropolitan Council is still in the process of development, and the final form it will take is not yet clear (Kolderei, May 1973, p. 136). However, it appears that it will retain its primary characteristic of an agency responsible to the state legislature.

The seven counties designated by the legislature as the metropolitan area are Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington. Until 1973, only 5 of these counties were included in the Standard Metropolitan Statistical Area designated by the federal government. In 1973, the SMSA was expanded to include ten counties, including one in Wisconsin. The Metropolitan Council made several efforts to get the federal designation of the SMSA to coincide with the state designated seven county region, but the federal government obviously does not give much weight to state preferences. The lack of comparability of boundary lines appears to be a minor inconvenience for the Council. However, as state designated planning areas come into greater prominence, the federal policy of ignoring state designations should be reexamined.

Characteristics of the Minneapolis-St. Paul Metropolitan Area

The Minneapolis-St. Paul metropolitan region, as designated by the state legislature, consists of seven counties including and adjacent to the central cities of Minneapolis and St. Paul. The total population of the seven counties in 1970 was about 1.8 million; the population of Minneapolis was 434,400, and that of St. Paul was 309,900. Thus, about 40% of the metropolitan residents resided in the two central cities. In common with most central cities elsewhere, the

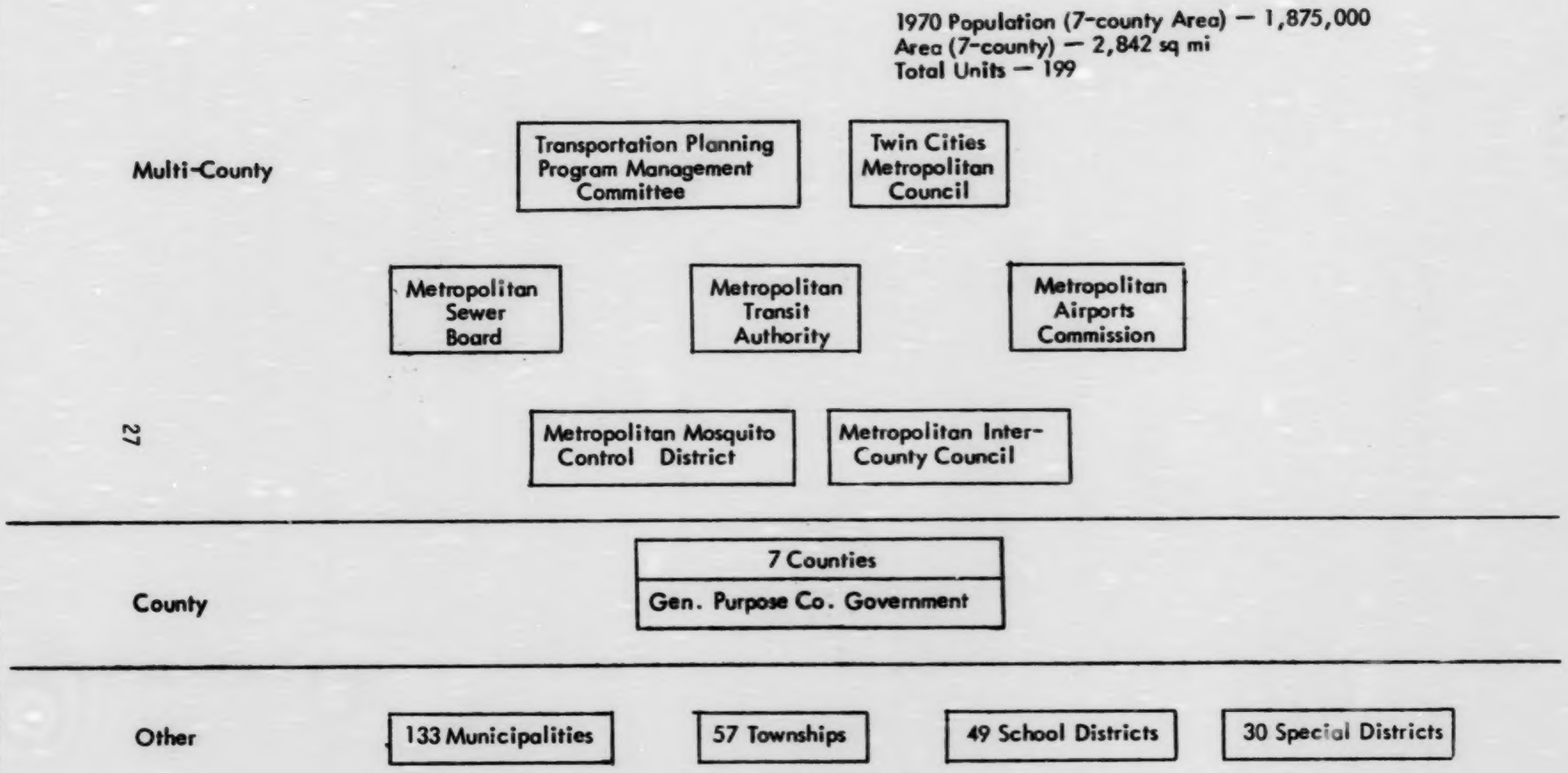

1970 Population (7-county Area) — 1,875,000
Area (7-county) — 2,842 sq mi
Total Units — 199
Multi-County
Transportation Planning Program Management Committee
Twin Cities Metropolitan Council
Metropolitan Sewer Board
Metropolitan Transit Authority
Metropolitan Airports Commission
Metropolitan Mosquito Control District
Metropolitan Inter-County Council
County
7 Counties
Gen. Purpose Co. Government
Other
133 Municipalities
57 Townships
49 School Districts
30 Special Districts

Fig. 4. Governmental Characteristics — Minneapolis-St. Paul Metropolitan Area

population of these two cities decreased by 6% from 1960 to 1970, while the population of the remainder of the seven counties increased by 55%.

Because of decisions made decades ago by the central cities not to annex adjacent areas, the two central cities are completely surrounded by incorporated municipalities, which in turn are usually surrounded by one or more outer tiers of incorporated municipalities. Beyond the outermost tier lies open country, in which are located a few smaller municipalities.

Of the two central cities, Minneapolis is the larger, perhaps a bit wealthier, and is more inclined to be aggressive in attempting to assert leadership of the area. But St. Paul is large enough and economically strong enough to provide an effective alternative. Over the years, this has resulted in the two cities often acting as rivals, and occasionally acting together in matters of joint interest.

Because of the rivalry, the other municipalities in the metropolitan area have a more complicated problem of relationships with the central city than in those metropolitan areas with only one major central city. Because either central city can start activities aimed at its own advantage, smaller cities can be adversely affected by action of either of two central cities, and can also be adversely affected by actions taken in concert by the two central cities. This is counterbalanced by the fact that since Minneapolis and St. Paul often do not see eye to eye, the smaller cities can sometimes get support from one of the central cities in opposition to some course of action proposed by the other central city. But conversely, the smaller cities also have the problem of needing to get support from both central cities for courses of area-wide action proposed by the smaller cities. On balance, it is difficult to say whether it is easier for smaller suburban cities to deal with one central city than with two, but at a minimum there is one more major actor to keep track of in metropolitan areas with two central cities.

While the suburban areas have a majority of the population of the area, they have been able to achieve little unity because of widely varying interests. The chief differentiating factor seems to be their degree of development. Many of the inner ring suburbs are almost completely built up, have an adequate tax base, and are not primarily concerned with how to promote development. The next group is partly built up and partly open for development, while the outer group of municipalities are primarily open land in the early stages of development. The stage of development of each municipality can affect its perception of the proper role for the Metropolitan Council, which has as a major responsibility the preparation of a development guide for the entire region.

Historical Development of the Metropolitan Council

The Metropolitan Council did not grow out of a major crisis or breakdown in local government services in the area. But it did develop during a period in which the Minneapolis-St. Paul area was experiencing problems of urban development and local government services similar to those experienced elsewhere. Metropolitan planning, sewage collection and disposal, airport locations, freeway locations, open space acquisition, and the zoo were all subjects of concern and controversy in the metropolitan area during the period preceding the establishment of the Council in 1967.

During the preceding ten years, the state legislature, local officials, and citizen groups had been increasingly dissatisfied with the ways in which existing agencies in the metropolitan area were dealing with these controversial problems. The immediate predecessor agency of the Council, the Twin Cities Metropolitan Planning Commission, was viewed as unable to do what was needed to effectively control regional development. In part, it did not have the necessary powers, and in part it was viewed as being unresponsive and too unwieldy to develop policies for metropolitan-wide application.

Despite its lack of powers, however, the Metropolitan Planning Commission was active in the process of alerting and informing area citizens of the need for coordination of the process of development in the metropolitan area. In cooperation with the State Highway Department and the local governments of the region, the MPC undertook a major transportation-land use study, which the MPC developed into a series of reports on alternative patterns of development. The MPC also played a leading role in the discussion of alternative governmental structures for dealing with metropolitan development, and prior to the 1967 legislative session the MPC developed a position paper that called for its own replacement by a metropolitan body with stronger powers (Baldinger, 1971).

A major cause of increased interest in an effective metropolitan policy and planning agency was the inability to resolve a growing controversy over sewage disposal problems in the metropolitan area. An earlier problem had been dealt with in part in 1933 by the creation of the Minneapolis-St. Paul Sanitary District, which constructed and operated interceptor sewers and a single treatment plant, which by 1965 serviced the two major cities and also serviced a substantial number of suburban municipalities on a contract basis.

Over the years, however, there had been continuing controversy on the part of some of the suburban municipalities over the costs of these contractual services, and many municipalities had sought what they viewed as less costly alternatives. One type of solution was to build their own treatment plants which discharged into either the Minnesota or the Mississippi river, usually upstream from Minneapolis or St. Paul, which led to further controversy. The other common type of solution was for developers to build houses with individual water and sewage disposal facilities, which was possible because of the soil conditions and water table. Because there was no effective means of control over this development, by 1959 a State Board of Health study showed that nitrates and detergents from the sewage systems were to be found in the water supplies of many suburban households. This resulted in increased efforts on the part of suburban municipalities to find ways to collectively dispose of sewage, bringing on renewed intermunicipal conflicts and increased understanding of the need for metropolitan-wide solutions to the sewage problem.

Out of the dissatisfactions and controversies over planning, sewage disposal, airports, freeways, open space, the zoo, and other regional problems, there were developed a number of proposals for more effective regional policies for urban development. In addition to the Metropolitan Planning Commission, other groups studying and making recommendations were the Minnesota League of Municipalities, various local associations of local officials and some individual officials, the Citizens League of Hennepin County, the various local Leagues of Women Voters, the local Chambers of Commerce, and the Upper Midwest Research and Development Council.

Many of the leading figures of the Minneapolis and St. Paul business communities participated actively in the development of the proposals, and a number of them subsequently accepted appointment as members of the Metropolitan Council.

A common characteristic of these various proposals was the need for an area-wide agency whose members were directly elected by the people of the seven county area, and which had powers to plan and operate a variety of service activities.

The local opposition to this developing consensus was limited, and late in appearing. It consisted of two groups of local officials and the local suburban press. County officials were concerned that the development of a regional agency would leave the counties with no role in regional development. Municipal officials of Bloomington (the third largest city in the area) and of many of the outlying suburban municipalities were concerned about domination of the regional agency by the central cities of Minneapolis and St. Paul. Suburban newspapers expressed general concern for local control and general opposition to big, metropolitan government.

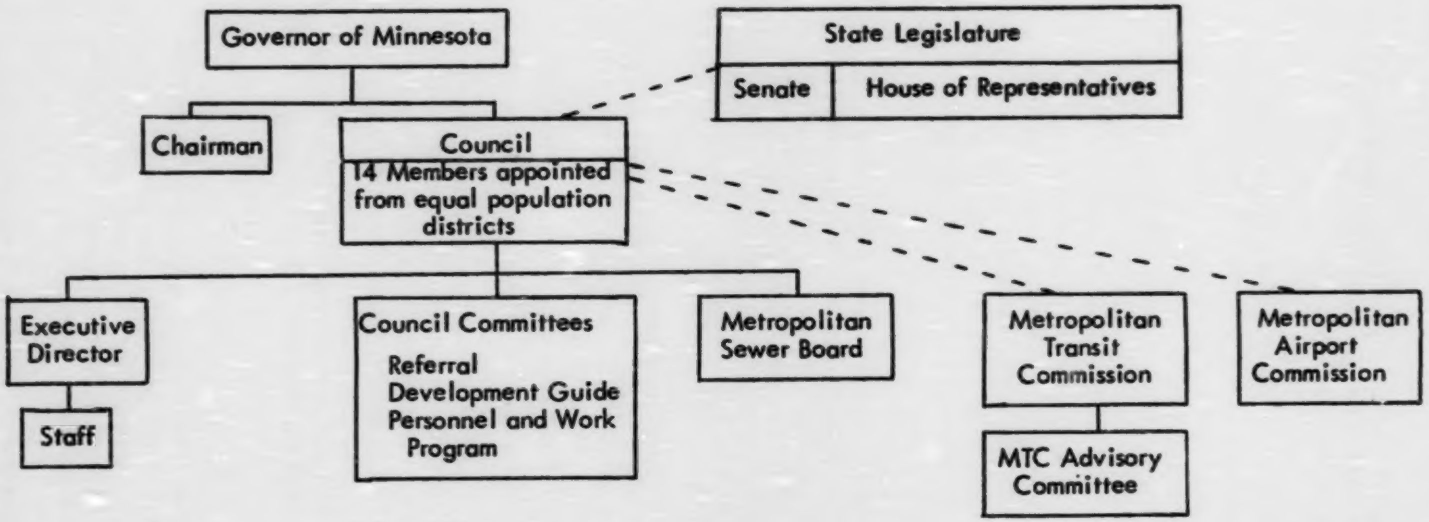
A second major viewpoint on the kind of metropolitan agency needed had been developing over the years among the members of the state legislature. Like the local groups, they were concerned with the effective solution to area-wide problems. But legislative leaders were also concerned about the place of the state government, and particularly the legislature, in the development of policies for the growth of the Minneapolis-St. Paul metropolitan area, which was the growth center and economic center of the entire state. Policies for the metropolitan area, they reasoned, would affect the entire state, and thus should not be left entirely to locally elected officials.

The major difference in how the new Metropolitan Council would be chosen was resolved by a very close vote: they would be appointed by the Governor, with the advice of the Senate, from districts composed of two adjacent state senatorial districts. With this problem settled, the legislature enacted the statute establishing the Metropolitan Council, to become effective in July, 1967.

The Metropolitan Council Experience: 1967-1973

Organization and Powers of the Council

The Metropolitan Council consists of fifteen members, of whom one is the Chairman, who serves at the pleasure of the Governor. The other fourteen members are appointed for six year overlapping terms by the Governor, with the consent


Governor of Minnesota
State Legislature
Senate
House of Representatives
Chairman
Council
14 Members appointed from equal population districts
Executive Director
Staff
Council Committees
Referral
Development Guide
Personnel and Work Program
Metropolitan Sewer Board
Metropolitan Transit Commission
MTC Advisory Committee
Metropolitan Airport Commission

Advisory Boards
- Metropolitan Health Board
- Metropolitan Open Space Advisory Board
- Criminal Justice Advisory Committee
- Housing Advisory Committee
- Cable Television Advisory Committee

Fig. 5. Organization and Functions — Twin Cities Metropolitan Council

of the Senate. Each represents a geographic district of the seven-county area, a district composed of two adjacent state senatorial districts, thus representing approximately equal numbers of residents of the seven counties.

The Council has established three committees: (1) the Physical Development Committee, (2) the Human Resources Committee,, and (3) the Personnel and Work Program Committee.

The Council has the general powers of a typical state agency. It may hire an Executive Director and staff who are part of the unclassified civil service of the state. It may enter into contracts, and accept gifts and appropriations; it also may levy a tax of 7/10ths of a mill on all property in the seven counties, an unusual power for either a regional council or a state agency. It may issue rules and regulations in accordance with the state administrative procedures act. The Council is charged with the duty of preparing a development guide for the seven county area, which serves as a guide to all future development in the seven counties.

The Council reviews all municipal and county comprehensive plans, and local government proposals that have significant impact on metropolitan development (significant impact is a determination made by the Council). The comprehensive plans cannot be implemented for 60 days after they are filed with the Council. During this period the Council informs all adjacent local governments of the proposal, and such other units and agencies as may be affected by the proposal. The Council makes suggestions, holds hearings, and mediates disputes.

The Council also reviews all applications for federal and state funds by local governments and other agencies within the seven county area, and may recommend approval or disapproval of the request. In practice, the Council often returns a request to the originating unit with suggestions for changes needed to obtain Council approval.

The Council is the regional criminal justice planning agency and the regional comprehensive health planning agency. For these purposes, it has established a 33 member Criminal Justice Advisory Committee and a 19 member Metropolitan Health Board, which review programs and proposals and advise the Council.

The Council has three other advisory committees: the Metropolitan Open Space Advisory Board, the Housing Advisory Committee, and the Cable Television Advisory Committee.

The Council prepares the sewerage plan for the metropolitan area, and has approval powers over the budget of the Metropolitan Sewer Board. The Board consists of 7 members appointed by the Council, and the Board is the governing body of what is essentially a seven-county special district that owns and operates the sewage collection and disposal facilities. Some of the relationships between the Council and the Board are still in the process of being worked out.

The Council reviews long term plans of independent single purpose agencies such as the Metropolitan Airports Commission and the Metropolitan Transit Commission, and reviews the MTC capital budget and improvement program. It has the power to indefinitely suspend (veto) any part of these plans or programs. The affected agency may request a hearing by the full Council. If agreement is not reached, the Council prepares a record of the disagreement which is then submitted to the next session of the state legislature.

The Council also works with the State Highway Department and the local governments in the area, as well as with the Metropolitan Transit Commission, in transportation planning for the region. There is a Transportation Planning Program Management Committee of five members, representing the Council, the highway department, the MTC, and the cities and counties respectively of the seven county area.

Experience with the Council, 1967-73

In general, the activities of the Metropolitan Council during the first six years of its existence have met with approval in the metropolitan area, and in the state as a whole. Governments and agencies in the seven-county area now receive timely information about plans and projects of other units and agencies that may affect the other units. Consultation occurs, and at least some potential problems are avoided. The Council provides a voice for area-wide interests that previously were not very often considered by local units.

A major problem is the continuing feeling of city and county officials in the area that their views should have more direct representation in the council. In a sense, the local units feel that they should have control of the area-wide decision making process, and they resist efforts to add to the powers of the Council. For example, an effort by the Council in 1971 to have the legislature establish an area-wide board under its jurisdiction to operate an area-wide park and open space program (comparable to the existing Sewer Board) was trimmed back by the legislature as the result of pressures from local officials who wanted operating responsibilities to remain in the hands of local governments.

A second problem area is the relationship of the Council to the state government, and especially to the legislature. The legislature has thus far been willing to go only part way toward establishing the Council as a state agency with adequate powers to coordinate regional governmental activities in the metropolitan area. At the same time, it has been less willing to go part way toward establishing the Council as a regional unit of government with powers to engage in municipal activities on a region-wide basis. While the Council has more powers than the Metropolitan Planning Commission that was its predecessor, the legislature prefers a Council with limited powers that refers most controversies to the legislature for final decision. The legislature's preference is reinforced by the demands of the local governments for limitations on the powers and activities of the Council. Thus, like its predecessor, the Council must rely heavily on its ability to educate and persuade citizens and local and state officials.

A third problem has been the relationship between the Council and the various metropolitan special districts and boards and commissions. This has two aspects, one internal and the other external. The internal aspect is exemplified by the relationship between the Council and its subordinate agency, the Metropolitan Sewer Board. Although appointed by the Council, and subject to its approval for operating budget and capital expenditures, the Board was explicitly given ownership of the sewer and disposal system, and tends to view itself as a quasi-independent operating special district. The Council has the duty of preparing the sewerage plan, which suggests that the Board must follow the plan in developing the metropolitan sewer system. There has been a continuing disagreement between the Council and the Board over who makes the major decisions about the specific location of new collector mains and disposal plants, which culminated in late 1972 in a reported statement by a Council member to representatives of the Board that " . . . you'll build where and when we tell you to, and nothing more" (Vanderpoel, 1972, p. 21). Presumably this is one of those disputes that will be referred to the legislature for final decision, but the necessity for this referral clouds the authority of the Council to plan and supervise the operation of the metropolitan sewer system. Because the location of collector mains and disposal plants has a direct influence on the direction and pace of urban development in the area, any diminution of the power of the Council will make it a less effective agency for controlling metropolitan development.

The external aspect is exemplified by the relationship of the Council and the Metropolitan Airports Commission in the consideration of alternative sites for the proposed second major airport for the area, and the prior decision of whether two major airports are needed. The Metropolitan Airports Commission is a special district established by the legislature to operate airports within a 35 mile radius of the Minneapolis and St. Paul city halls. The Commission has 3 members from Minneapolis and 3 members from St. Paul, plus a tie-breaking member appointed by the Governor from outside the area. Suburban citizens feel they should have more representation on the Commission.

After considerable travail, the Commission in 1969 announced it had chosen a site North of the Twin Cities for a new major airport, and submitted its plan to the Council for approval as required by law. Major opposition to the site had existed during hearings held by the Commission prior to its decision, and did not subside while the Council was considering the proposal. After a few months, the Council decided to suspend (veto) the proposal, on the grounds that there were enough doubts about the chosen site to warrant a re-examination by the Commission. The Council also expressed doubts about the need for two major international airports in the metropolitan area.

The Commission voted to resubmit its proposal to the Council and request a hearing, evidently with a view to passing on the site dispute for settlement to state officials. After some consultations among the interested parties, the Commission decided to withdraw its request for a hearing and requested the Council to choose the site for the new airport. A few weeks later it was announced that the Council, the Commission, and the major air carriers using the airport would engage in a joint study to select the site for the new international airport.

Meanwhile, the legislature in 1969 had enacted legislation bearing on the responsibilities of the Council with respect to the new airport. The legislation authorized the Council to control zoning around the new airport by establishing criteria for land use and development within three miles of the airport (or up to five miles if an important natural resource was affected). Municipalities in the affected area were required to revise their land-use plans, and zoning and building code ordinances to reflect these criteria, and submit the plans and ordinances to the Council for approval. Any local controls not in conformity with the criteria could be amended by the Council, and must then be put into effect by the municipality. The Council was also to develop criteria for noise zones, which must be put into effect through municipal land use and development controls. Both of these are a substantial limitation on the previous freedom of municipalities to determine their own zoning and land use regulations, but evidently the legislature felt that area-wide controls were necessary to satisfy some of the interests that were objecting to the new airport.

The legislation also requires the Metropolitan Airports Commission to purchase property near the airport when a court has determined that application of the criteria of the Council constitutes a taking of property, if the Council determines that the acquisition of the property is necessary to proper development of the area. The Commission must then prepare a plan for the use of the area in accordance with the criteria of the Council, and may then dispose of the land to private owners in much the same way as do municipal agencies engaged in urban renewal.

This legislation enlarges the responsibility of both the Council and the Commission in the development and regulation of the new airport and the surrounding property. It tends to bring an independent special district, the Commission, into much the same relationship with the Council as the Council's subordinate agency the Metropolitan Sewer Board, but only for certain activities of the Commission. Whether conflicts between the Council and the Commission can and will develop under this legislation remains to be seen, but meanwhile some necessary controls for the establishment of a new airport have been established.

The outcome of the search for a site for the new airport is still in the future. It appears that when a second major airport is needed, the site will be in the portion of the metropolitan area originally favored by the Airport Commission. But Council review of the site problem brought out the fact that the specific location favored by the Commission was over the recharge area of the major aquifer of the region, and an alternative site without that undesirable characteristic will be used.

There appear to have been some additional political repercussions from the Council intervention in the search for an airport site, in that a major opponent of legislation requested by the Council from the 1973 session of the legislature was the mayor of St. Paul, who was also a St. Paul member of the Airport Commission. Given the other kinds of legislative opposition to the 1973 council legislation, it is not clear that the mayor's opposition was decisive, but it is illustrative of the kind of political problem that can arise from the relationship of the Metropolitan Council to the other regional agencies.

The two examples of the relationships with the Sewer Board and the Airport Commission illustrate problems that exist also in the relationship of the Council with the Metropolitan Transit Commission. There is surface agreement among regional agencies that the Metropolitan Council does overall planning while the special purpose agencies do functional planning; some people use the terms system planning versus development planning. Despite the surface agreement, the implementation of the roles is a matter on which there is little agreement at present. When disagreements exist on specific actions, the problem may be referred to the state legislature, which thus far tends to settle differences on an ad hoc basis, leaving the basic relationship between the agencies not clearly defined. To those who prefer clear lines of relationship, this is an unsatisfactory situation. But it seems likely that the nature of the kind of basic decision to be made by each agency will continue to be a matter of dispute. What the Council views as a planning decision may be viewed by the regional special purpose agency as an operating decision, and therefore as an invasion of the prerogative of the special purpose agency. It appears that the legislature will continue to prefer this kind of arrangement, since it then can intervene to settle major disputes if it wishes to do so.

Another facet of this problem is the tendency of regional planning and coordinating agencies, such as the Metropolitan Council, or the Regional Council of Governments in other metropolitan areas, to want to assume operating responsibilities. Planning and coordination are unsatisfactory roles, apparently, and the role of decision-maker is more attractive. But decision-making without implementation powers apparently also seems to be an empty role for many regional councils. There is considerable pressure from the staff members, also, for the regional agency to take on responsibilities for implementation, because staff members are frustrated by the lack of implementation of their plans. Finally, this tendency toward implementation is encouraged by agencies of the federal government, which offer grants for demonstration projects for such things as solid waste disposal or regional emergency medical care to the regional planning or coordinating agency. Thus there are many pressures on the coordinating council to move into substantive programs. But any change of role in this direction brings the coordinating council into conflict with operating agencies, whether regional special purpose districts, or cities and counties. The Twin Cities Metropolitan Council is caught up in this problem, and no clear decision about its role has yet been made.

One perceptive observer of the Twin Cities Metropolitan Council has advanced the view that what now exists in the metropolitan area is a number of special purpose regional governments for sewers, transit, and airports (Kolderei, Apr 1973, p. 4). He suggests placing all the regional operating agencies in the same relationship to the Regional Council that the Sewer Board now has. This would give the Council more control over these agencies, and will probably be strongly resisted by the agencies unless the role of the Council can be more clearly defined. And since this would be a move in the direction of regional government, it is not clear that either the legislature or the cities and counties are yet ready to accept this alternative. But the proposal has the merit of removing much of the present ambiguity in the relationship.

One other problem that has received widespread attention must be mentioned. This is the question of direct election of the members of the Council by the voters of the districts which they represent. It is often alleged that the appointment of the members of the Council by the Governor with the consent of the Senate (and after consultation with local interests) is not a proper way to achieve representation of metropolitan residents. But it is a difficult task to demonstrate that direct election from districts would achieve the kind of metropolitan representation desired.

Nor does the selection process for members of the governing body of voluntary councils of government in metropolitan areas necessarily achieve adequate representation for citizens of the metropolitan region. Decisions are made by majorities that do not contain anyone for whom many of the citizens of the region had the chance to vote.

Thus, the lack of direct election of the members of the Council does not seem to be a fatal defect. Because the Council engages by necessity in a process of interaction with local elected officials, members of governing bodies of area-wide special districts, and state legislators from the metropolitan area and from outside the metropolitan area, the total process includes the representation of many different views of citizens of the metropolitan area.

Finally, one accomplishment of the Metropolitan Council that has received widespread attention must be mentioned. In 1971 the Council proposed, and the legislature enacted, a statute to reduce the inequity of the property tax base of the local governments within the metropolitan area. The statute provides that 40% of the assessed value from new commercial and industrial property coming onto the tax rolls after 1972 goes into a special pool which is then divided up among the local governments in the region on a per capita basis (Gilje, 1971, pp. 49-50).

This innovation has been widely and justly heralded as a major step in the direction of reducing the inequities of the property tax base between local governments of a metropolitan region.

In general, the local governments in the Twin Cities region have viewed it as a desirable development. But in 1973 some latent dissatisfaction surfaced. The City of Minneapolis asked for special legislation to exempt new commercial development in its downtown area from the redistribution requirement. And the suburban city of Bloomington, the fourth largest city in the state, also requested special legislation to exempt commercial development in its downtown area from the redistribution requirement. Bloomington leaders are disturbed by the fact that so large a city does not have a real downtown, and hope to develop one, apparently containing high rise office buildings and other downtown type structures. And they do not want to share the revenues from this development either with the central cities or with their suburban neighbors. Neither of the attempts in 1973 was successful, but the fact that local governments representing nearly half the population of the metropolitan area would suggest this change indicates some erosion of support for the redistribution measure.

Council Activities with Respect to Pollution Control

The Council has adopted or was in the process of adopting in late 1973 a number of development guides that were concerned with environmental pollution. In these development guides, the Metropolitan Council is primarily concerned with attempting to influence future development to reduce pollution, rather than with the problem of how to regulate existing polluters.

In Minnesota, there is a State Pollution Control Agency that has primary responsibility for controlling existing pollution and developing plans and programs for regulating pollution. The Metropolitan Council and its staff work closely with the Pollution Control Agency in the planning process, and present proposals and testify at PCA hearings on proposed regulations and plans.

Local observers point out that the Metropolitan Council and its staff bring a more environmentalist point of view to most of the planning done in the metropolitan area than is brought by most other agencies, including most state and local officials.

Air Pollution Control Activities

The Metropolitan Council does not engage directly in air pollution control activities in the way that some of the other regional agencies do. The Council in 1973 was in the process of preparing an air quality development guide for the metropolitan region. Since no final action had been taken, copies were not available for this study. If other guides already in existence may be taken as typical, the proposed guide would use the standards established by the state Pollution Control Agency as the basis for the guidelines to be established.

Water Pollution Control Activities

The Council also had a water supply development guide in the process of preparation which was not available to us. However, much of the activity of the Council and the Sewer Board is related to pollution control, and can be examined in that context. In addition, the Council has taken other actions related to control of water pollution, for example its role in relocating the site of the proposed major airport away from the recharge area of the major aquifer. The Council open space development guide also indicates a concern for preservation of wetlands throughout the area, which is related to one aspect of control of water pollution.

The Council has been directly involved in water pollution control in its early efforts to deal with the sewage problem, and in its continuing relationship with the Sewer Board as the plans for an area-wide sewage disposal system were implemented.

Throughout this process, the Council has attempted first to plan development of the sewer system to serve built up areas in need of this service, and secondly to use extensions of the sewer system to guide development into those areas that the

Council felt should logically be the next ones opened to development.

In doing this, the Council has on occasion found itself forced to take action to achieve one of these goals that was in conflict with the possibility of achieving the other goal. And in some instances, it has encountered activity on the part of other organizations and agencies that has made the task more difficult.

A case in point was an early Council decision involving the sewage plant at Forest Lake, which was discharging sewage with only primary treatment into a chain of lakes that were part of the St. Paul water supply system. The Council opted for a new tertiary treatment plant that would discharge into a small creek that ran into another watershed, into the St. Croix river. The environmentalists opposed this on the grounds that the creek was also one of the state's best trout streams. The State Pollution Control Agency then required the Sewer Board to run an interceptor line several miles through undeveloped land from Forest Lake to connect with an existing major sewer system in St. Paul. The existence of the interceptor encouraged developers to try and get sewer permits in this undeveloped area which the Metropolitan Council felt should not yet be developed.

In an effort to control development in this and similar areas, the Council and the Sewer Board have developed a system of charges which attempts to assess the cost of future use as a part of the cost of the original sewer connection by the developer. In this way they hope to limit the number of connections and thereby the Council hopes to limit development of the area which it believes should not currently be developed. A number of developers have brought lawsuits against this kind of charge, and it seems possible that the ruling will go against the Council, thus opening these areas for development.

Here we have the anomalous situation of the efforts of the Council to prevent premature development of one portion of the metropolitan area coming into conflict with other values of the Council which are concerned also with protecting the environment.

Solid Waste Pollution Control Activities

One of the development guides issued by the Council is the Solid Waste Development Guide, issued in 1970. The guide assumes that solid waste disposal operations will be handled on a county-by-county basis because state law says the county is to be the implementing agency in the solid waste program.

The guide also assumes that counties in the area will develop solid waste disposal programs within the regulations established by the State Pollution Control Agency.

The guide then goes on to establish basic policies for solid waste disposal in the metropolitan area. For example, it specifies that sanitary landfills shall be the disposal method used. It then goes on to amplify some of the state regulations. For example, the state requirement that disposal may not take place on "shoreland" is, for the metropolitan area, specified to mean the prohibition of sanitary landfills within 1,000 feet of the normal high water mark of a lake, pond, reservoir, or impoundment, or within 300 feet of a river or a stream or the landward side of a floodplain designated by ordinance for such river or stream (Metropolitan Council of the Twin Cities, 1970, p. 7).

The Council required the counties to present solid waste disposal plans for the approval of the Council. After approval, the plans were submitted to the State Pollution Control Agency. Thus, the development guide coordinated the planning of the seven counties for solid waste disposal within the regulatory framework of the State Pollution Control Agency.

Nuclear Pollution Control Activities

There is no major nuclear plant within the metropolitan area, and the Council has thus far undertaken no activity in nuclear pollution control.

Noise Pollution Control Activities

The Council had not felt the need for a development guide for the prevention of noise pollution. But it did consider noise impact as one factor in the highway and transportation development guide, and they cooperated with the State Highway Commission and the Metropolitan Transit Commission to establish standards of noise impact for highways in the region.

In addition, as already mentioned, the Metropolitan Council was given specific power to require local governments to prohibit development in areas affected by the noise from airport runways at the proposed new major airport. The power, exercised through the Airports Commission and the local governments, is sufficiently strong to prevent development in areas of heavy noise pollution from the airport. However, until an airport site is officially designated and plans are begun, the power remains unused. There is every reason to expect that the Council will make vigorous use of the power when specific planning for the airport is begun.

Summary

The Metropolitan Council is, as its advocates claim, a considerable advance over voluntary councils of government in the sense that it has some powers of coordination and control given to it as a state agency. Its existence demonstrates that a state government in the United States can impose some controls over a metropolitan region if it wants to. But the council is not yet a new kind of metropolitan unit of government, as is sometimes claimed for it. The legislature has obviously not yet decided that it wants to have the Council displace the local units of government in the seven-county area; nor has it decided that the Council will be the upper tier of a two tier system of regional government such as Metropolitan Toronto.

The term umbrella agency has sometimes been applied to the Council in its relationship with other regional agencies, and its relationship with the Metropolitan Sewer Board is viewed as the proper way to provide coordination of special purpose regional agencies. The Council appoints the Sewer Board, and must approve both the operating and capital budget. The exact line between the powers of the two agencies is unclear, and will probably change from time to time. The Council's relationship to other regional special purpose agencies is less close, with the Council having only powers of approval of their capital budgets. Major disagreements between the Council and other regional agencies are reported to the state legislature. The umbrella analogy is a fuzzy one at best, and in the case of the Metropolitan Council, it is clearly an umbrella whose handle is held by the state government.

As the experience with the Metropolitan Council continues, the evolution of its relationships with municipalities and counties and area-wide special districts should be watched closely by those interested in alternative ways to organize government in metropolitan regions. The Council may develop as a kind of "half-way house" that is a viable alternative to complete local control or comprehensive metropolitan government. It may be a way in which the interests of the local governments, of the region, and of the state can engage in dialogues and trials of strength from which a mixed form of effective government of the metropolitan region can emerge.

SECTION V

THE MUNICIPALITY OF METROPOLITAN SEATTLE

Introduction

"Metropolitanization" was not apparent in the Seattle region until the post-World War II period. Prior to this era, the urbanized area was fairly well contained within the city and its immediate vicinity, because of the confining effects of Puget Sound on the west and Lake Washington on the east. However, in 1941 a landmark floating bridge was constructed across Lake Washington and the Lake's east side quickly attracted a substantial portion of suburban growth.

The central city has declined in population relative to the rest of the metropolitan area. Seattle contained 73% of the total population of King County in 1940, 64% in 1950, and 60% in 1960. (In 1962 the Standard Metropolitan Statistical Area was redefined to include Snohomish County to the north of King County and labeled the Seattle-Everett SMSA.) In the 1960 census over half of the population of the Seattle-Everett SMSA lived in Seattle; by 1970 this proportion had dropped to only 37%.

Table 2

Population, Seattle-Everett SMSA

Counties	1970 Population	% Increase 1960 to 1970	% of Total Population
King	1,156,633	23.7	81.3
(Seattle)	(530,813)	(-4.7)	(37.3)
Snohomish	265,236	54.0	18.7
(Everett)	(53,622)	(33.0)	(3.8)
Total	1,421,869	28.4	100.0

Source: 1970 Census of Population.

The large increase in Everett's population occurred as the result of annexation of an area containing 13,029 residents.

There was a 64.3% increase in the 1960-1970 period in population living outside of the area's two central cities. Both King and Snohomish counties are outpacing the national average growth rate of 13.3% for counties.

Social class indicators shown below indicate little differentiation between the two counties and their principal cities, except in the percentage of minority group residence.

Table 3

Social Class Indicators, Seattle-Everett SMSA

Counties and Major City	Family Median Income	% Minority Races	Average Education
King	$11,886	7.0	12.5
(Seattle)	(11,037)	(12.6)	(12.5)
Snohomish	11,897	1.7	12.3
(Everett)	(10,176)	(2.2)	(12.2)
Total SMSA	$11,676	6.0	12.5

The minority areas are divided almost equally between Negroes and all other races, predominantly Japanese and Indian. The population of the minority races increased from 102,000 in 1960 to 158,000 in 1970, or by 56%.

The acceleration of urbanization during the post-war period resulted in numerous incorporations and an increase in the number of special districts. In King County the number of municipalities increased from 8 in 1940 to 24 in 1957, most of which incorporated in the decade from 1947 to 1957. Thereafter, the pace of incorporation slowed, with the 1972 Census of Governments recording 28 municipalities in King County. As shown in Table 4, the major changes occurring in the number of local units of government during the past 15 years have been an increase in the number of special districts and a decrease in the number of school districts.

Table 4

Local Units of Government, 1957 to 1972 — Seattle-Everett SMSA

Type of Unit	King Co. 1957	King Co. 1972	Snohomoish Co. 1957	Snohomoish Co. 1972	Total 1957	Total 1972
Cities	24	28	15	18	39	46
School dists.	25	21	23	14	48	35
Special dists.	116	129	47	57	163	186
Total	165	178	85	89	251	267

Source: 1972 Census of Governments.

Figure 6 shows the principal county and multi-county agencies operating in the Seattle-Everett SMSA.

The growth in the Seattle area concentrated around Lake Washington. As a consequence, it became increasingly polluted from the effluents of the sewage disposal plants of the urbanized areas. Measurements began in 1949 traced the chronology of a "dying" lake as the algae grew and multiplied. Yet no local government responded to this problem and it was not deemed subject to the discretionary powers of either the State or Federal governments. Ultimately, this problem provided an outlet for the efforts of those groups in Seattle pressing for the regionalization of urban services, which resulted in the formation in 1958 of the Municipality of Metropolitan Seattle.

The Response of Metropolitanism in the Seattle Region

Seattle civic leadership (concentrated within the Municipal League of Seattle and King County) was not unaware of the effects of aynamic urban growth on static governmental structures. In 1948 a constitutional amendment authorized the consolidation of King County and Seattle. The 1948 amendment was not self-executing. In 1971 the legislature adopted a self-executing amendment providing for consolidation. A report of the King County Metropolitan Study Commission sees the need for some functional consolidations within the county, and recommends "the reduction in the number of actual units of government within King County" (Metropolitan Study Commission, Nov, 1972, p. 15)

In 1952 a home rule amendment for King County was defeated. A young attorney active in the municipal league and the campaign for the home rule amendment is credited with initiating metropolitan reform in the Seattle area. (King County did become a home rule charter county in 1968.)

Roscoe Martin begins the chronology of events that led to the creation of Seattle Metro with a 1953 speech by James Ellis, "A Plan for Seattle's Future." Ellis's activism and tenacity in civic leadership for the Seattle metropolitan area is a recurrent element in the developmental history of Seattle Metro.

By 1954 Ellis's somewhat visionary approach to Seattle's future helped in moving the municipal league to appoint a metropolitan problems committee. Originally the league had hoped to involve representatives from the city and county and develop legislative proposals for the 1955 Washington state legislative session. Thwarted in that ambition, the league instead focused its efforts on an examination of the utility of differentiating metropolitan and local governmental functions. In 1955 the league issued the findings of the committee in the report: "Metropolitan Seattle: The Shape We're In."

By 1956, the municipal league made its recommendations more explicit and decided to push for state legislation to implement its proposals. The second "Shape" report of 1956 recommended a metropolitan level of government to perform specified metropolitan functions: comprehensive planning; sewage disposal and

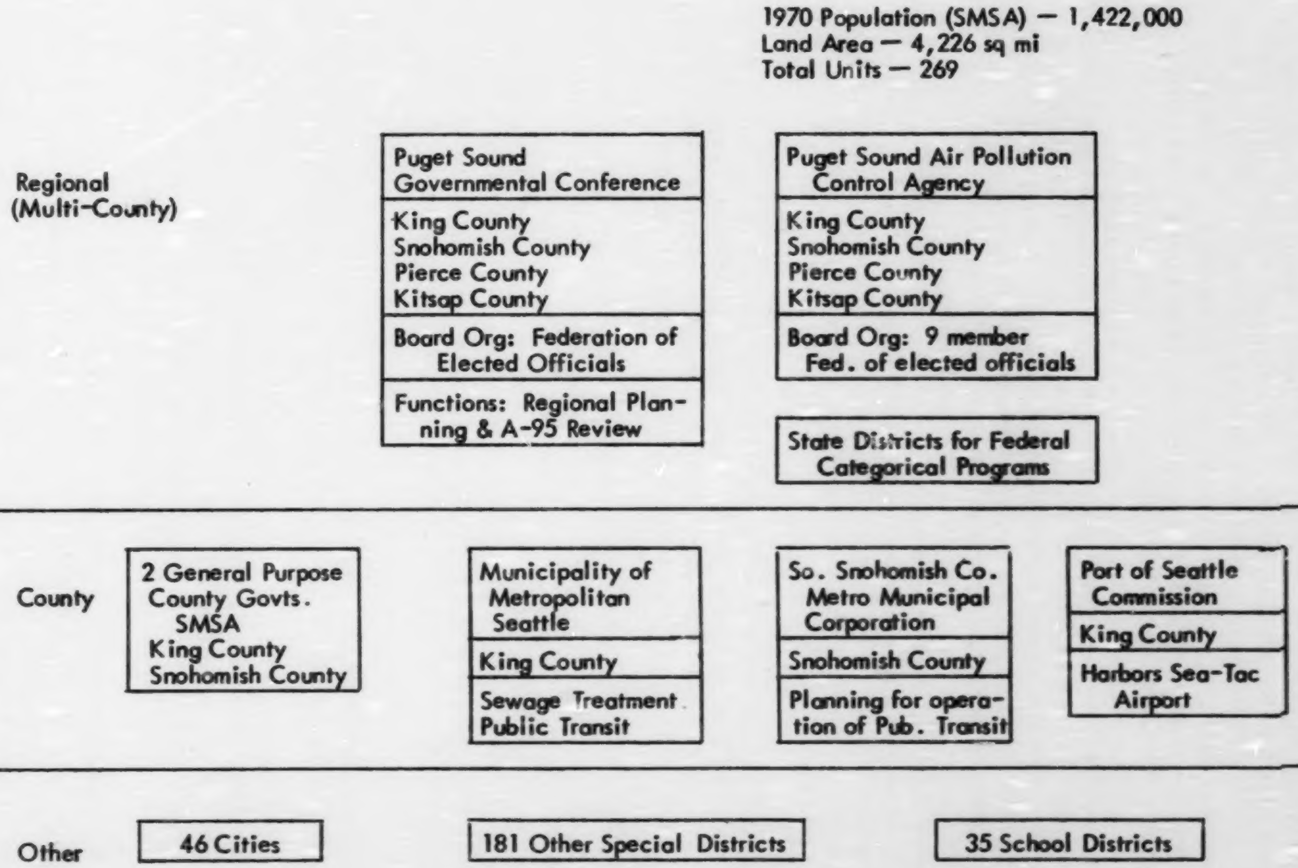

1970 Population (SMSA) — 1,422,000
Land Area — 4,226 sq mi
Total Units — 269
Regional (Multi-County)
Puget Sound Governmental Conference
King County
Snohomish County
Pierce County
Kitsap County
Board Org: Federation of Elected Officials
Functions: Regional Planning & A-95 Review
Puget Sound Air Pollution Control Agency
King County
Snohomish County
Pierce County
Kitsap County
Board Org: 9 member Fed. of elected officials
State Districts for Federal Categorical Programs
County
2 General Purpose County Govts. SMSA
King County
Snohomish County
Municipality of Metropolitan Seattle
King County
Sewage Treatment
Public Transit
So. Snohomish Co. Metro Municipal Corporation
Snohomish County
Planning for operation of Pub. Transit
Port of Seattle Commission
King County
Harbors Sea-Tac Airport
Other
46 Cities
181 Other Special Districts
35 School Districts

Fig. 6. Governmental Characteristics — Seattle Metropolitan Area

storm drainage; water supply; major roads and mass transportation; parks and parkways; health and garbage disposal. Other functions had been considered, but had been dropped for various reasons. Air pollution control might inhibit industrial growth. Airports and ports were being satisfactorily operated by an existing separate authority. The bridges were under the control of the State. Although arterial streets were recommended in the Shape report, they were omitted in the subsequent draft legislation.

The County had been seriously considered as the metropolitan level of government, but this idea was finally discarded. The County did not precisely embrace the land area envisioned as functionally desirable; it did not include a part of Snohomish County and did include some area seen as more functionally related to Tacoma and Pierce County. The more important reason for not considering the County was that its administrative organization was not seen as productive of efficient operations, and reform of this organization seemed improbable in view of the heavy defeat of the 1952 home rule charter. Had the proposal passed, conceivably the transit and sewage treatment functions might now be operating out of the courthouse and the Metro Enabling Act would never have been passed.

On the basis of this second report the municipal league moved the city and county governments to appoint a Metropolitan Problems Advisory Committee (MPAC). The MPAC chairman was James Ellis and more than half of its members had served on the committee that prepared the "Shape" report.

On the state level in 1956, Governor Langley established an advisory committee on metropolitan problems. A Seattle civic leader was chairman, and James Ellis was a member. This committee first looked at sewage problems in the Seattle area, and on recommendation of this committee a major engineering study of the sewage needs of the Seattle area was commissioned. Financed largely by the City of Seattle, but with contribution by the state and county governments the results of this study were to form the basis for the technological operations of Seattle Metro.

In 1957 the state environment was particularly favorable for Seattle leaders to press for state enabling legislation drafted by MPAC and the municipal league.

Newly elected Governor Rosellini was a veteran State senator from Seattle, both his administrative assistant and legislative aide had been members of MPAC, and the Democratic Governor came into office with his party in the majority in both the Senate and the House. His inaugural address included a passage urging enactment of a metropolitan Municipal Corporation Bill into Washington state law.

The draft legislation introduced in the 1957 legislative session differed from the second "Shape" report recommendation only in dropping some functions from those performed at the metropolitan level, and requiring concurrent majorities within the city and without for creation of Metro (rather than the original proposal for a sample majority of voters). The bill sailed through the Senate, but faced stiff opposition in the House. The chairman of the House Committee considering the bill was from Snohomish County, and the delegation from Snohomish County was extremely hostile to the idea of the creation of a municipal corporation that could cross the King-Snohomish boundary to manage sewage problems on a regional basis. With much effort, the bill was pried out of committee, but only to be amended in an unacceptable form by the delegation representing Snohomish County and southern King County. But the Governor of Washington possesses item veto powers and, at the urging of Seattle leaders, Governor Rosellini vetoed the defensive amendments and the 1957 Metropolitan Municipal Corporation Law was essentially that proposed by local leaders in the Seattle area.

The Metropolitan Municipal Corporation Act of 1957

When Roscoe Martin studied the Seattle area in the early 60's it was more what he termed the "openendedness" of this state enabling legislation, rather than the limited application of the statute in the creation of Seattle Metro that seemed worthy of serious consideration as being a significant contribution to metropolitan governing systems. This legislation makes possible the creation of a multi-county, multi-purpose special district, operating as a "third tier" above county and city governments. This "third tier" characteristic did not apply, however, in the case of Metro Seattle. Its boundaries were originally less than county-wide and eventually were coterminous with King County; thus, it operated in parallel position to the county.

The "Metro Act" represents the judgment of local and state leaders, tempered by political pragmatism, as to the functions which should be available to a metropolitan level of government for metropolitan areas. In the language of the act:

> It is the purpose of this chapter to enable cities and counties to act jointly to meet these common problems in order that the proper growth and development of the metropolitan areas of the state may be assured and the health and welfare of the people residing therein may be secured (Washington Revised Code, 1969, Ch. 35.58.010).

Any area in the State of Washington with two or more cities, one or more of which must be a first class city under state law, may establish a municipal corporation (metro). The term "municipal corporation" has a long history in the state of Washington to describe local subdivisions with a broader spectrum than the term "special districts." It includes, therefore, multi-purpose special districts as well as municipalities of general jurisdiction.

The boundaries of the corporation may include in part or whole, more than one county. However, cities must be included or excluded as a whole.

One or more of the following functions may be performed by the corporation: sewage disposal, water supply, public transportation, garbage disposal, parks and parkways, and comprehensive planning.

Comprehensive planning would be advisory only, parks and parkways would be administered by a board, rather than directly by the metropolitan council, and until a 1967 amendment that allowed voters to choose between transit systems being operated by a commission or the council, transit was also to be operated by a commission rather than directly by the metropolitan council.

An election to establish a metro is held upon resolutions being adopted by either the city or county governing bodies, or the governing bodies of two component cities other than the central city, or if four percent of the qualified voters petition for the election.

The resolution or petition must specify the functions to be performed by the corporation and its boundaries. The proposed boundaries are subject to review by the central county before being submitted to the voters.

At the time of this initial vote, authorization may also be sought for metro to levy a property tax of one mill for the first year of its operations (requiring a 3/5 majority vote). For creation of the metro, concurrent majorities (those voters residing within and outside of the central cities) are required for passage.

The "openendedness" of the Metro Act is in its provisions for the assumption of new functions (within the six specified in the legislation), and that the area of Metro can be expanded.

The procedures for holding an election to vote on the addition of a function are similar to those governing the initial election. A simple majority of those voting determines the outcome. However, if the ballot includes a provision for Metro to levy a general tax for the first year of operation of the new function, or if general obligation bonds are to be issued, a 3/5 majority is required under Washington law.

A new function can be added without an election by resolution of the Metro Council with concurring resolutions by each component county, first class city, and at least 2/3 of other component cities.

A 1967 amendment allowed the council, by resolution, to prepare a comprehensive plan for the performance of an additional function, prior to voter approval of the assumption of that function.

Boundary expansion can occur in two ways. If any of the component cities annex territory, that territory is automatically included in Metro. Contiguous territory may become part of Metro by a majority vote of the residents of that area.

Representation is a variation of the "federated" model, based upon a rather complex system, with no fixed number of council members. The following categories of representation are provided for:

1. One ex officio (county executive) member from the central county.

2. One additional member selected by the board of commissioners of each component county for each commission district with ten thousand or more residents in the unincorporated portion of the district (either the commissioner representing the district or a resident).

3. One member (mayor) from each of the six largest component cities.

4. One member representing all component cities other than the six largest, selected by vote of the mayors of these cities.

5. One member (who must be on the city council) allotted to each component city with a population of 10,000 or more for every 60,000 residents above the initial 10,000.

6. The chairman of the council, selected by vote of the council, may not be an employee or official of any member city or county (see Figure 7)

Since much of the focus on metropolitan problems that preceded the drafting of this legislation was one of concern for adequate sewage treatment, it is not surprising that the provisions for the sewage disposal function provided the metropolitan corporation with comprehensive powers: of adopting a plan for sewage disposal, acquiring, constructing, managing, setting minimum standards, fixing rates and charges, and contracting; to establish and maintain a regional system.

The financial capacity of the municipal corporation is varied. It may issue revenue bonds by resolution of the council and general obligation bonds with 60% voter approval. With 60% voter approval it may obtain a one-year mill levy during its first year, or the first year of operating a new function. To balance its budget, it may secure supplemental operating funds from each component local government based on the proportional share of its total assessed valuation to the total assessed valuation within the metro area. Finally, it may levy special assessment for specified areas under specified conditions.

Local Implementation of the State Enabling Legislation

Snohomish County leaders, frustrated in their attempts to amend the Metro Act to their advantage, and knowing that the logic of the Lake Washington watershed meant that Seattle and King County had designs on them, immediately executed a tactical maneuver to avoid becoming part of Seattle Metro.

In January of 1958, a South Snohomish County Metropolitan Municipal Corporation was established under the provisions of the Metro Act with the single function of planning, effectively precluding any intrusion of regional power from the Seattle area. Perhaps the only example of "defensive incorporation" at the metropolitan level.

In Seattle, the MPAC issued a report in August of 1957, calling for the Seattle area to establish a metropolitan corporation with three functions: sewage disposal,

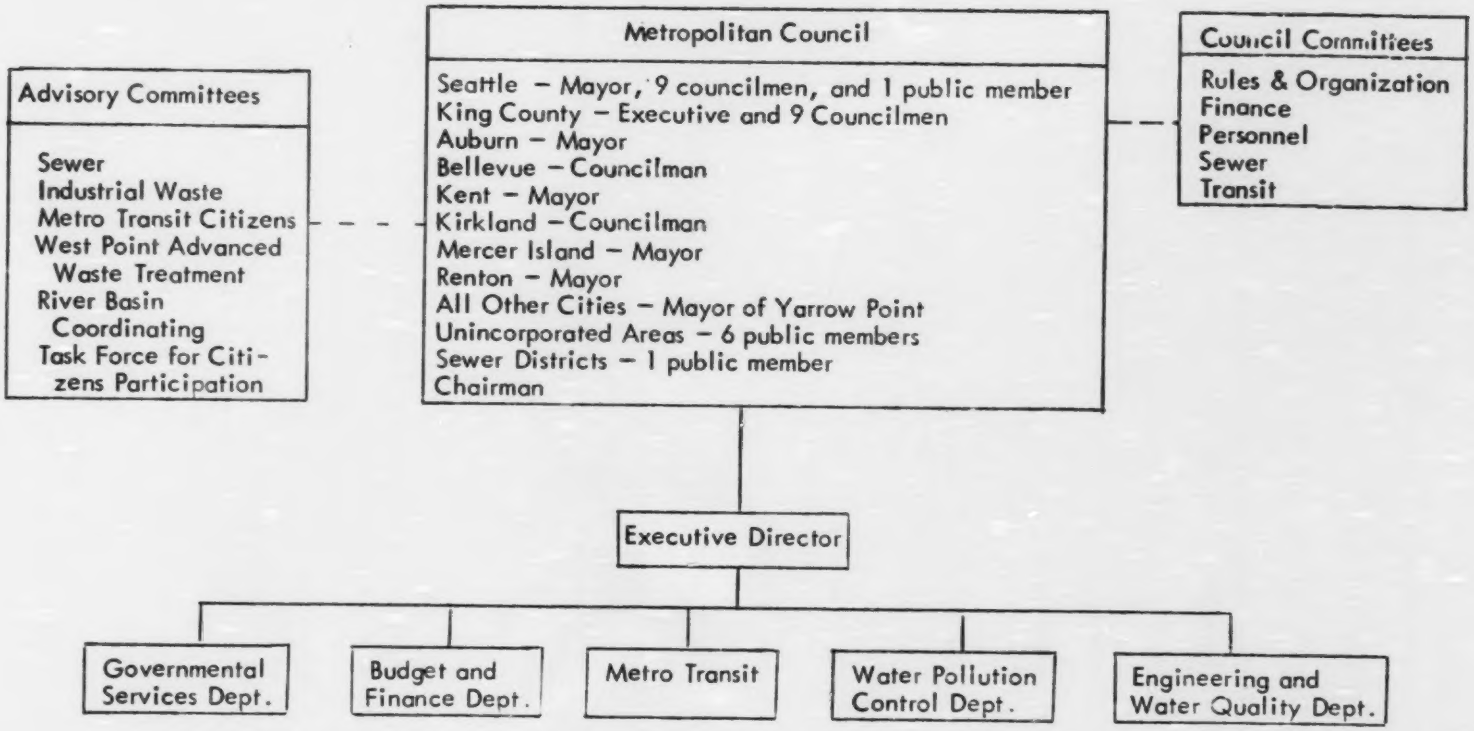

Advisory Committees
Sewer
Industrial Waste
Metro Transit Citizens
West Point Advanced Waste Treatment
River Basin Coordinating
Task Force for Citizens Participation
Metropolitan Council
Seattle – Mayor, 9 councilmen, and 1 public member
King County – Executive and 9 Councilmen
Auburn – Mayor
Bellevue – Councilman
Kent – Mayor
Kirkland – Councilman
Mercer Island – Mayor
Renton – Mayor
All Other Cities – Mayor of Yarrow Point
Unincorporated Areas – 6 public members
Sewer Districts – 1 public member
Chairman
Council Committees
Rules & Organization
Finance
Personnel
Sewer
Transit
Executive Director
Governmental Services Dept.
Budget and Finance Dept.
Metro Transit
Water Pollution Control Dept.
Engineering and Water Quality Dept.

Fig. 7. Organization and Functions – Minicipality of Metropolitan Seattle

transportation, and comprehensive planning, believing a strong case could be made for a metropolitan execution of these functions. The MPAC boundary recommendations included almost all of western King County from the Snohomish County line to the north to the Pierce County line on the south. MPAC also recommended that voters be asked to approve the one-year mill levy for the new corporation.

Almost immediately the machinery to establish Metro was activated on the basis of the MPAC report. Two outlying city councils passed resolutions calling for a metro election and a campaign group, the Metropolitan Action Committee was formed to work for the adoption of metro.

The King County commission, in exercising the provisions of the act calling for a boundary review of the proposed metro prior to submission to the voters, bowed to the vigorous opposition of three southern King County cities and excluded a significant amount of the area to the south. The area finally submitted to the voters included sixteen cities and 471 sq mi.

The pro-metro rhetoric of this first campaign tended to emphasize the theoretical benefits of metro along with the years of careful study that had gone into establishing the need for and utility of a metro.

Opponents of metro were also partially caught up in the theory of metropolitan reform, voicing fear of the establishment of a "supergovernment." But some of the opposition was solidly based on issues of substance; some of the outlying communities had invested large sums, and gone into debt to provide sewage disposal systems, it was unclear just what the establishment of metro would do for these communities; the engineering study was not yet complete and some opponents argued that it was unfair to ask voters to approve a function without benefit of a specific proposal for implementation of that function.

In the March, 1958 election proponents of metro failed to achieve the concurrent majorities necessary for approval. The measure did achieve a simple majority, and passed handily in the City of Seattle. But out of the city, 10 of the 15 other municipalities voted against metro, and the unincorporated areas recorded a heavy negative vote. The provision allowing metro to levy a general tax was defeated throughout the area.

After this first defeat, James Ellis gathered the community forces favoring metro to place the issue on the ballot again in the September, 1958, elections.

Just as in the two elections to consolidate the Nashville-Davidson County governments, metropolitan reformers would like to siolate those factors that make for success or failure. But it is impossible to generalize from the Seattle experience in a "how to do" way for other metropolitan areas seeking reform. Suffice to say the success of the second election was in some combination of the tenacity of area leaders, some wise and effective political accommodations, and an Act of God.

Probably it is the Seattle experience more than any other that has fueled the "crisis" theory of metropolitan reform. In Seattle there had been consistent and well-documented evidence of an environmental crisis in the waters of the Sound and Lake Washington. The Seattle area was profoundly water-oriented, emotionally as well as geographically. But apparently it was not until the extremely dry summer of 1958 that area residents were shocked into recognition of an environmental crisis. When Lake Washington's water level dropped to the point that its putrid condition was evident even to the casual observer, and beaches on Puget Sound had to be closed, the fall election could truly be said to be overlaid with a "crisis" facing metropolitan residents — one not sold by metropolitan reformers, but experienced by metropolitan voters.

But even in that climate, it is not possible to conclude that reform in Seattle was a function of the environmental crisis. Between the first and second elections there were some significant political accommodations and concessions on the part of those seeking reform.

The proposal submitted in the second election was for a single function metro in sewage treatment. Its boundaries were further trimmed by about one-third to exclude those areas which had voted heavily against Metro in the first election. (See Figure 8). Furthermore, proponents agreed to support an amendment to the state law which would require a 2/3 vote of the Council to issue revenue bonds, rather than a simple majority; voter approval is not required. Fortuitously, the engineering study had been completed by the time of the second election, and the campaign was blessed with both a highly visible problem and well-documented solution. The second campaign was characterized less by the standard rhetoric of reform, focussing on the overriding issue of clean water.

The second proposal also specified that Metro would take over the operation of the existing sewage treatment plants and compensate the communities that had invested in them.

The second campaign resulted in an affirmative vote in all but one of the ten municipalities still included in the district, although failing the three-fifths majority necessary to authorize a general tax levy.

Boundary Expansion

Between the first and second elections in 1958, the land area of Seattle Metro was cut back to the area around Lake Washington. The Metro area approved by the voters in the second election did not include even the area draining into Lake Washington. From the standpoint of sewage treatment itself, Seattle Metro was not an adequate regional instrumentality.

By 1967, despite a dramatic success in cleaning up Lake Washington, only one additional municipality had voted to become a part of Metro, and the total land area under Metro was 231 sq mi. In 1971, however, the State legislature amended the Metro Enabling Act to provide that "any metropolitan municipal corporation

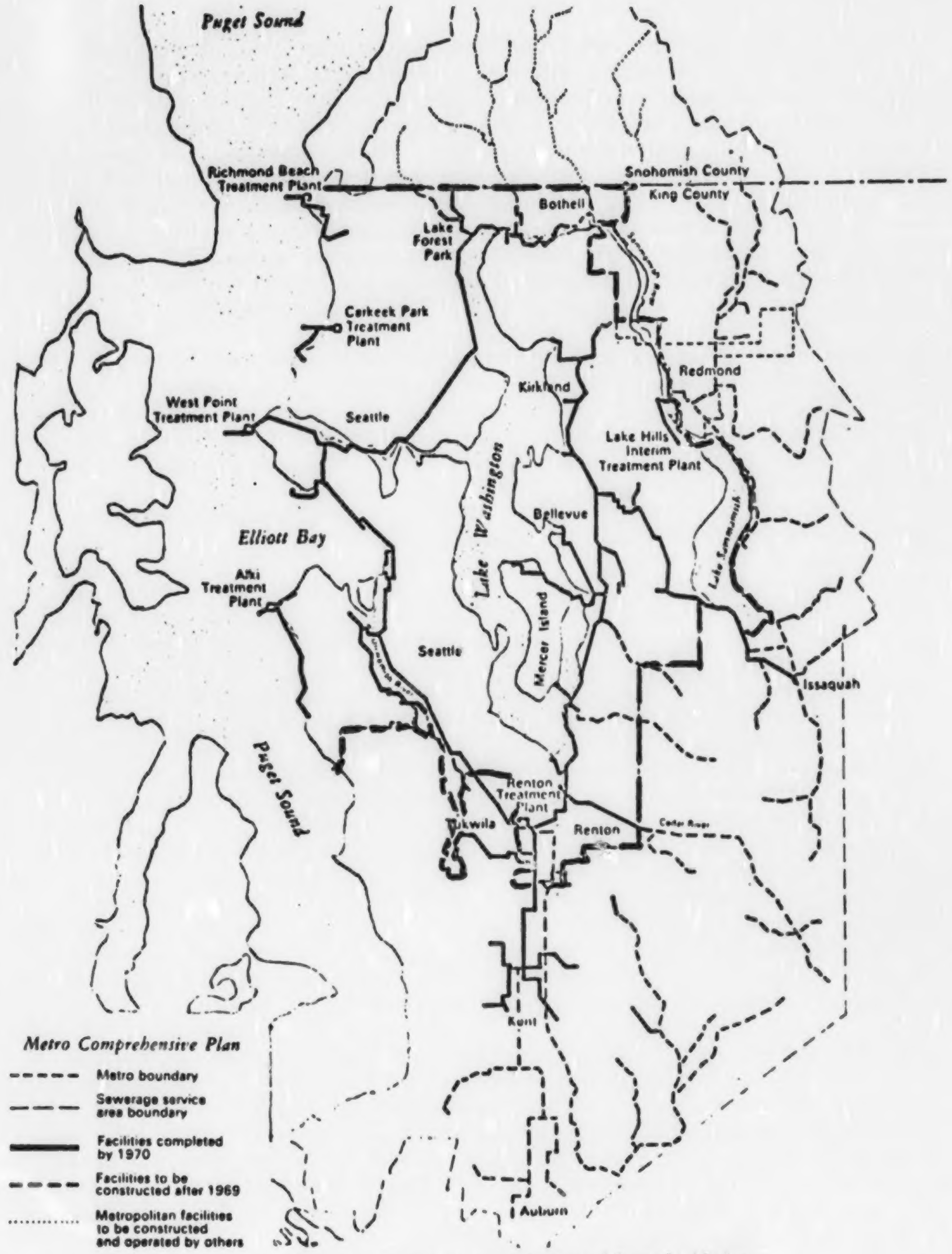

Puget Sound
Richmond Beach Treatment Plant
Snohomish County
King County
Bothell
Lake Forest Park
Carkeek Park Treatment Plant
Redmond
Kirkland
West Point Treatment Plant
Seattle
Lake Hills Interim Treatment Plant
Lake Washington
Bellevue
Elliott Bay
Alki Treatment Plant
Lake Sammamish
Mercer Island
Seattle
Issaquah
Puget Sound
Renton Treatment Plant
Tukwila
Renton
Cedar River
Kent
Auburn
Metro Comprehensive Plan
Metro boundary
Sewerage service area boundary
Facilities completed by 1970
Facilities to be constructed after 1969
Metropolitan facilities to be constructed and operated by others

Fig. 8. Original Boundaries of Seattle Metro

Source: The Municipality of Metropolitan Seattle, Metro — The First Ten Years 1958-1968, p. 39.

now existing or hereafter created, within a class A county contiguous to a class AA county or class AA county, shall upon the effective date of this 1971 amendatory act as to metropolitan corporations formed after the effective date of this 1971 amendatory act, have the same boundaries as those of the respective central county of such metropolitan corporations . . . " (Washington Law, Extraordinary Session, 1971, Ch 303, p. 1166). The amendment also provided that such boundaries could be further enlarged by the annexation procedures set forth in the original act. Further, contiguous metropolitan municipal corporations could be consolidated into a single corporation upon resolutions of the respective councils. In such event, the largest city (in terms of population) would be the central city and the largest county would be the central county of the consolidated corporation.

This amendment, which increased by almost tenfold the land area under Seattle Metro's jurisdiction, was a part of the 1971 legislation which made state funds available to local transit systems, including the local power to levy a .3 of a cent sales tax. Numerous problems in the administration of the sales tax were to be avoided by imposing it throughout the county, rather than tieing it to the boundaries of Metro. The county, then, seemed to be the natural and appropriate regional unit for Seattle Metro, an example, perhaps, of the emerging role of the county as a vehicle for regionalization.

Expansion of Metro to the boundaries of King County inevitably has produced speculation about the necessity of having two county-wide governments operating independently of each other: Seattle Metro and King County. Seattle Metro's Task Force on Intergovernmental Relations has at least marginal interest in this issue. At least one of the major reasons for not using the county government originally rather than Seattle Metro has disappeared; the passage of the home rule charter for King County in 1968 has resulted in what is regarded as a competent administrative structure in the courthouse. Although merger will continue to be an issue, particularly as Metro Seattle moves into additional functions, there is little reason to believe that it will occur in the near future. Seattle Metro is very competently managed, it is financially viable, and it has a widespread and active citizen participation program; there is small likelihood that it will be criticized for inefficiency or insensitivity, nor that there will be a financial "crunch." In addition, it is widely respected for the job it has done in cleaning up Lake Washington. On the other hand, King County government is locally respected. The "crisis" factor present in many consolidations and mergers does not appear to exist with respect to Seattle Metro and King County.

Yet, the rationality of merger cannot be disposed of this easily. There is a local theory of community process in Seattle which says that the combination of Scandinavian common sense, an immigration of civically active expatriates, and a greater concern with cabins and lakes than with local government by the bulk of the residents, has made efforts by rational reformists somewhat more successful in Seattle. Conceivably, then as Seattle Metro attempts to move into the solid waste disposal and water supply functions, merger could be effected without the stimulus of a "crisis."

Functional Expansion

In 1962, Roscoe Martin could only conclude that Seattle Metro was "off to a good start." Having been trimmed back to the area immediately surrounding Lake Washington and incongruous with its watershed, Seattle Metro could not be viewed as regional in scope. It was just another single-function special district. Yet, it had potential, and a civic leader in the person of James Ellis who was determined that that potential would become reality.

Almost immediately after the election of 1958, Ellis and area leaders began the work of expanding Metro, and in 1961 the Mayor of Seattle and the King County Commissioners appointed a metropolitan transportation committee. Ellis had always been interested in the public transit function; through control of transit one could have a significant impact on the environment and could, also, contribute to the life of the central business district.

In 1962, the committee report recommended that Metro assume the transit function via the route of concurrent resolution of its component governments, rather than by popular vote. The fledgling Metro Council (perhaps wisely) declined to take that action.

Four of the smaller metro municipalities passed resolutions for Metro to submit the proposed transit function to the voters. In September, 1962, metro voters defeated the proposal by a margin of almost two to one, and Seattle Metro remained a single-purpose special district.

After the state legislature in 1967 enabled Metro to prepare a plan prior to submitting a new function for voter approval, Metro and the Puget Sound Governmental Conference engaged a consulting firm to prepare a transit plan for the Seattle area.

The proposal for adding the transit function and issuing general obligation bonds to acquire and expand the system was submitted to Metro voters in February of 1968. The measure achieved a simple majority but failed to gain the three-fifths majority approval necessary for Metro to issue general obligation bonds.

Again, James Ellis had a central role to plan in the evolutionary history of Seattle Metro. What is generally acknowledged to be one of the most publicized and effective civic organizations in the country — Forward Thrust, Inc. — was formed in Seattle in 1966 with Ellis as its president. Forward Thrust activism is involved in all of the pieces that made possible the eventual success of Seattle Metro in assuming the transit function, as well as numerous other efforts on behalf of the Seattle area (Ellis, Feb 1969, pp. 56-60).

In 1969 the Washington state legislature acted to make state funds available to public transportation, beginning July 1, 1971. The legislature earmarked half of the 2% state excise tax on automobile ownership to be used for public transportation.

The transit plan approved by nearly 60% of the King County (Seattle Metro) voters on September 19 of 1972 was, in many respects, a product of a decade of experience and adjustment by metropolitan leaders. The success of the Seattle experience is very much an example of the American system of federalism — dependent on a change in both state and national willingness to support urban transit systems and local initiative to seek and use that support.

The Seattle transit system is not dependent on general obligation bonds for funding (freeing the election from the 3/5 majority requirement). The System is projected to meet all operating and capital improvements costs from the farebox receipts, a 3/10 of a cent King County sales tax, state automobile excise and gas taxes, and federal grants and gas taxes (Municipality of Metropolitan Seattle, May, 1972, p. 4.)

Seattle Metro acquired the city-owned Seattle bus system, and the privately owned county-suburban system and began operations on January 1, 1973. The transit system will be operated directly by the Council rather than by a transit commission. City finances will be eased somewhat by Metro assuming the transit function, and Seattle residents were probably influenced by the promise that the county-wide sales tax to support the system would be balanced by ending the City of Seattle's household tax.

Seattle Metro, after studying five other metropolitan transit systems, lays claim to a pioneering effort in several areas:

1. The most extensive community involvement program in development and implementation of the system plan.

2. The most liberal elderly fare policy of any of the systems visited.

3. Metro transit is pledged to develop a fleet of low-polluting vehicles. (Municipality of Metropolitan Seattle, Dec 1972, p. 10).

In assuming the transit function and expanding its boundaries county-wide, the Municipality of Metropolitan Seattle is not quite the misnomer it was when Seattle Metro was "just another special district."

River Basin Coordinating Committee (RIBCO)

RIBCO was formed in 1971 at the initiative of Metro and King County to meet the requirements of the 1969 federal legislation for the development of plans for the control of water pollution in the Lake Washington-Cedar and Green River basin (see Figure 9). When it became apparent that the program should be under the control of elected representatives because of the need for legislation and funding, the committee requested the Metro Council to assume legal and financial responsibility for the Committee, which it did. This decision was significant in terms of possible further expansion of Metro into the functions of solid waste and water distribution.

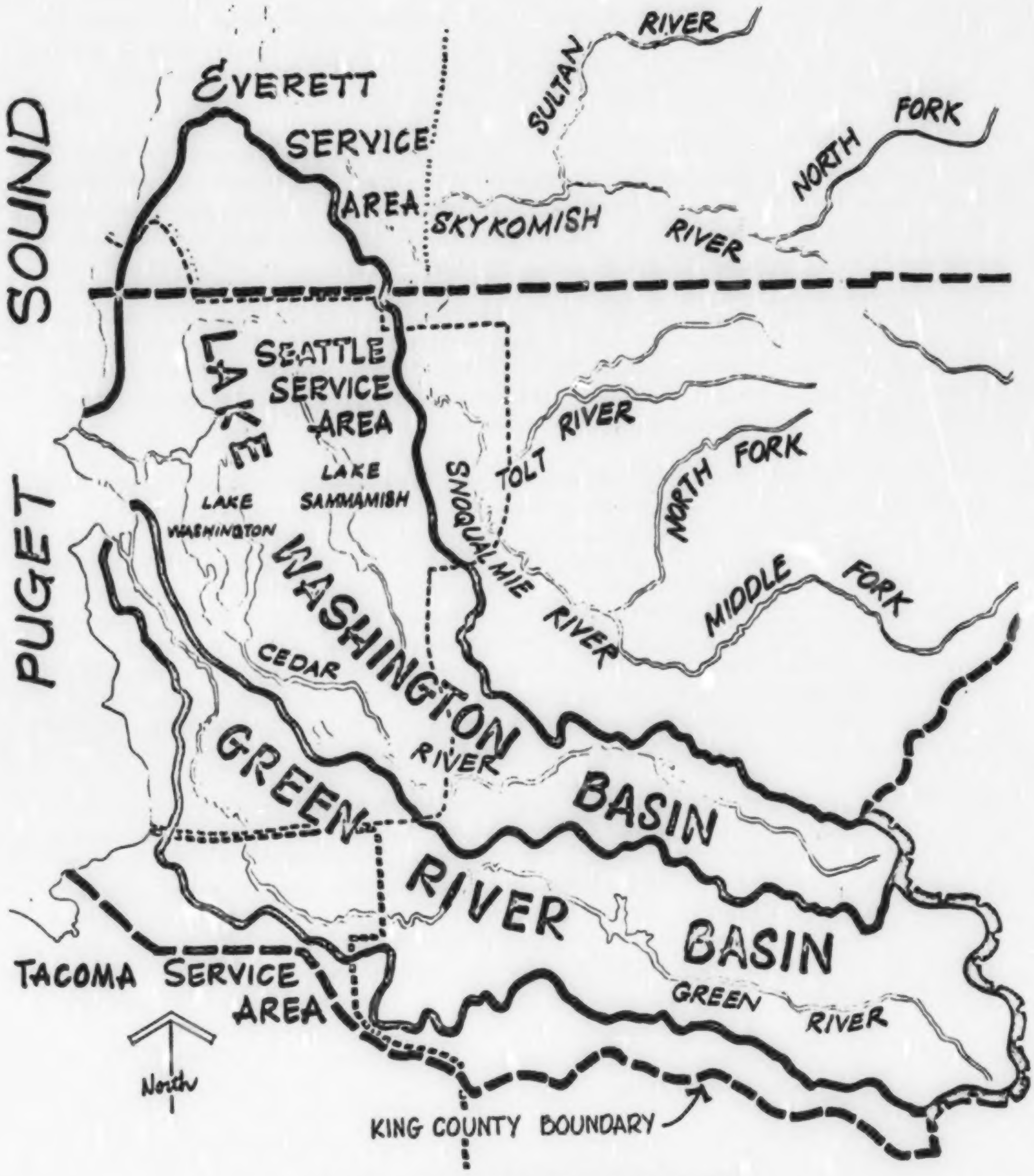

EVERETT SERVICE AREA
SULTAN RIVER
NORTH FORK
SKYKOMISH RIVER
SOUND
PUGET
LAKE WASHINGTON
SEATTLE SERVICE AREA
LAKE SAMMAMISH
LAKE WASHINGTON
TOLT RIVER
NORTH FORK
SNOQUALMIE RIVER
MIDDLE FORK
CEDAR RIVER
BASIN
GREEN RIVER BASIN
TACOMA SERVICE AREA
GREEN RIVER
North
KING COUNTY BOUNDARY

Fig. 9. Lake Washington and Green River Drainage Basins

The committee is composed of representatives of King and Snohomish counties, the City of Seattle, the Puget Sound Governmental Conference, the Puget Sound Air Pollution Control Agency, all sewer districts and cities in the basin, all water districts in King County, Seattle Metro through its Task Force for Citizen Participation, and one non-voting member each from the Environmental Protection Agency, the Army Corps of Engineers, and the State Department of Ecology. In late 1972, Metro's Council formed a Basin Environment Committee to serve as a policy advisory group on the river basin planning effort (Municipality of Metropolitan Seattle, Dec 1972). Its function is to review all recommendations of RIBCO and transmit its reactions on to the Metro Council.

The work of the Commission has been to conduct various studies preliminary to the development of plans and recommendations. The Puget Sound Governmental Conference has produced the basic study on land use and allocation. Four other studies due to be completed in July, 1974, are on the subjects of water pollution control and abatement, water resources management, urban runoff and basin drainage, and solid waste management. In addition, the Puget Sound Air Pollution Agency is developing an air quality plan which it would like to expand and integrate with the other water and waste management studies when funding becomes available. Metro's Task Force for Citizen Participation is responsible for communication to and input from citizen groups through dissemination of interim study findings and discussions at community meetings.

The two studies that have implications for functional expansion of Metro are those dealing with solid waste and water resources. Solid waste is now disposed of through City, County, and private facilities. The recommended plan is expected to call for a combination of various methods: composting; regional sanitary landfills; landfills with shredded waste; landfills with baled waste; recycle centers; ocean disposal, and transporting shredded waste in the sewerage system. Such plans will be integrated with those of water resources and pollution control. It could be expected, therefore, that the study would recommend that responsibility for county-wide solid waste disposal be vested in Metro. One possible problem is that the enabling legislation for Metro specifically authorizes garbage disposal and an amendment may be necessary to include the disposal of trash.

The City of Seattle is the major purveyor of water through direct service in the City and through contracts in the County (at a higher rate). There is, reputedly, some suburban dissatisfaction with this arrangement, because of the higher rates and the lack of direct representation on the Seattle City Council. Too, the construction and operation of water distribution and sewage treatment should be closely coordinated, if not integrated. Conceivably, therefore, the study could recommend the metropolitan administration of water supply, vested in Metro, and possible under the enabling legislation.

Metro and the Puget Sound Governmental Conference

Roscoe Martin's concluding comments on Seattle noted the existence of another regional entity, the Puget Sound Governmental Conference, that was truly regional in scope. Formed prior to Metro in 1957, it originally included only four counties in its membership. In 1961, the four central cities joined the Conference, and in 1966 it assumed the A-95 review function.

The relationship between Metro and PSGC has been largely a collaborative one, notably in the public transportation field and in RIBCO. There is disagreement currently, however, on the division of labor with respect to planning for sewage disposal. Metro takes the position that it is in a better position to plan for sewage disposal and treatment facilities because of its experience and expertise in this field. The Conference believes that planning for land use involves a series of "trade-offs" between competing mission-oriented operating agencies and the responsibility for negotiating these trade-offs into a plan for development is better vested in an agency independent of the operating agencies. If Metro lays a sewer line down a valley which lies in tax-frozen agricultural status, it defeats the State policy of retaining lands in agricultural use by relieving the urban fringe farmer of taxes based upon high speculative values. If EPA requires that future shopping centers be built on smaller scales to avoid the heavy concentrations of automobile exhaust, it is encouraging urban sprawl and its attendant higher utility costs. The planners believe that a balance must be negotiated among these various interests and this negotiation should be conducted by the Conference which views itself in a third-party position.

This type of disagreement is occurring with regularity throughout the country and is by no means peculiar to Seattle. It is focussing not only on the issue of planning for land use development. It is concerned also with the problem of multiple special purpose agencies spawned by the categorical grant programs of the Federal Government. This latter problem has been the impetus for "umbrella" agency proposals and the "Big 7" proposals to the Office of Management and Budget for linkages at both the federal and regional levels, referred to in other sections of this report (Council of State Governments and others, Dec 29, 1972).

The issues of land planning versus functional planning and the introduction of House Bill 791 into the state legislature has moved Metro to form a Task Force on Intergovernmental Relations. Its first task was to review HB 791, the State Land Planning Act, for its possible impact on Metro. This act, introduced in 1973 in anticipation of federal legislation sponsored by Senator Jackson encouraging states to develop land use planning policies would, among other things, attempt to differentiate between land planning and functional planning and would designate a regional agency (probably the Conference) to have certain planning powers, including the power to comment on the compatibility of both functional and subregional land use plans with the regional plan.

The Chairwoman of the Task Force is also a member of the Conference. Other members include the Mayor of Renton, the Mayor of Mercer Island, the Mayor of Kent, the County Executive, and a County Councilman. The Association of

Washington Cities is also a concerned party for reasons of blocking state involvement with local government. With the apparent reluctance of the Conference directors to expand its functions and the resistance of the various local interests to the State Land Planning Act, one would have to predict the failure of the State Act and the continuation of the current disagreements over planning as well as the ongoing collaborative arrangements.

Metro and EPA Programs

It should be noted that Metro is currently involved in a dispute with federal water pollution control regulations and the EPA that could have an adverse effect on Metro if its point if view is ignored.

Essentially, the dispute arises partly from the fact that Metro has "saved" Lake Washington by diverting treated effluents into Puget Sound.

Of its five plants discharging into the Sound only one (Renton) provides secondary treatment. The 1972 Federal Water Quality Law requires municipally owned waste-treatment systems to provide secondary treatment by 1977. Metro contends that the Sound is an unusual body of water possessing a rich concentration of dissolved oxygen which when combined with its depth and "washing action" makes it environmentally acceptable. Metro is preparing a plan calling for the "best practicable treatment" by 1983 which if accepted as an alternative to the 1977 requirement would save $55,000,000. Essentially this alternative would call for the removal from effluent of toxic materials, oil, other contaminants, and, possibly, other oxygen-demanding materials (Seattle Times, June 29, 1973). If Metro is not successful with its alternative plan, there will be difficult times ahead for Metro as it is forced to raise its rates by 95¢ to $2.00 per month to finance construction of additional treatment facilities which may be viewed as not necessary.

Conclusion

Seattle Metro can be viewed as having limited success as a form of regional government. Its land area is not exactly coincidental with the direction of urbanization, but it contains the bulk of the urbanized area and much more. Nor does it cover the drainage area of Lake Washington which extends into Snohomish County, but it is contracting with the sewer districts in that area, so that functionally it is providing regional disposal and treatment services.

With Snohomish activating its metropolitan municipality in anticipation of taking over the public transit function, Seattle Metro is foreclosed from expanding in that area. Undoubtedly the other counties will follow this pattern, as it appears necessary. Seattle Metro can be seen, therefore, in the long run as a subregional unit, regionalizing the Seattle core, but not beyond the boundaries of King County.

Within this sub-region, Metro Seattle had moved with a success unusual for local governmental reform movements. It has acquired a second major function and is moving toward additional ones. It apparently has a high level of credibility in the community, if only because of its success in cleaning up Lake Washington. Unlike most special districts in the utility field, it has been very responsive to the need for a high level of citizen participation and its federated Board of Directors gives it the ties it needs to local political systems.

Since it is in the last analysis, a parallel form of county government, it faces the prospect of eventual merger with the government of King County. Had the proposed county charter passed in 1952, there may never have been a Seattle Metro. All of which seems to support the notion that the county, a traditional unit of government generally containing a major portion of the urbanized area, once reformed and made more acceptable, will become increasingly looked to as a vehicle for regionalization of local government.

SECTION VI

BI-STATE DEVELOPMENT AGENCY OF ST. LOUIS

Introduction

The Bi-State Development Agency, like all local government structures, is a product of broad social and economic trends and local circumstances. These forces shape the politics of the area, which in turn influence the form of government structure.

The usual difficulties faced by proponents of regional government is achieving consensus among competing interests are complicated further in St. Louis, because it straddles a state line. Thus, an additional network of political and economic interests must be reckoned with. The two and one-half million inhabitants reside in five counties in Missouri (counting St. Louis City as a county) and three in Illinois. (The official SMSA includes only 2 counties in Illinois, excluding Monroe County. Monroe County is, however, included in the jurisdiction of Bi-State and Franklin County is not.)

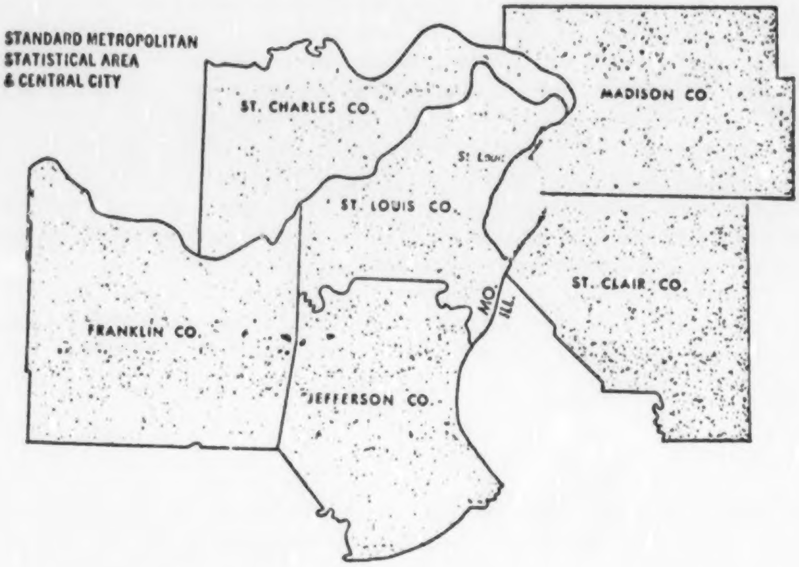
Table 5

Population Data for Counties in the St. Louis Area

Counties	1970 Population	% Increase 1960 to 1970	% of Total Area Population
Missouri			
Franklin	55,127	23.7	2.3
Jefferson	105,647	58.6	4.4
St. Charles	92,954	75.5	3.9
St. Louis City	622,236	-17.0	26.1
St. Louis County	951,671	35.2	39.9
Total Missouri	1,827,635	12.6	76.7
Illinois			
Madison	250,934	11.7	10.5
Monroe	18,831	21.4	0.1
St. Clair	285,199	8.6	12.0
(E. St. Louis)	(69,996)	(-14.3)	
Total Illinois	554,964		23.3
TOTAL	2,382,599		100.0

Source: 1970 Census of Population, Report PC(1) A-27 Missouri and Illinois, Tables 10 and 13.

ST. LOUIS METROPOLITAN AREA


STANDARD METROPOLITAN
STATISTICAL AREA
& CENTRAL CITY
ST. CHARLES CO.
MADISON CO.
St Louis
ST. LOUIS CO.
ST. CLAIR CO.
FRANKLIN CO.
JEFFERSON CO.
MO.
ILL.

Bi-State Development Agency

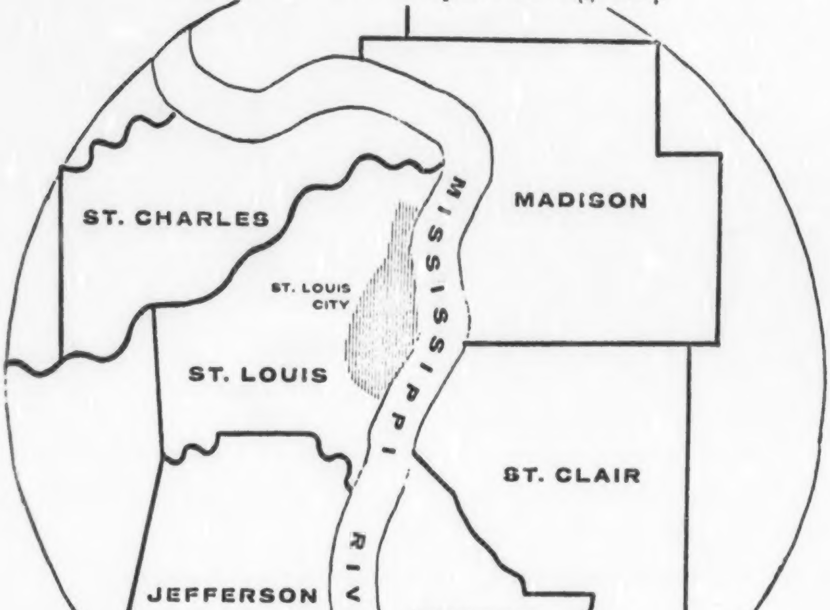

ST. CHARLES
MADISON
MISSISSIPPI
RIVER
ST. LOUIS
CITY
ST. LOUIS
ST. CLAIR
JEFFERSON
MONROE

Fig. 10. Boundaries of St. Louis SMSA and Bi-State Development Agency

With three-fourths of the population living in Missouri and four-fifths of the Missouri residents living in St. Louis City and St. Louis County, these two jurisdictions play a dominant role in the affairs of local and regional government. This role is a divided one, on occasion, between the interests profiting from the westward migration from St. Louis City out into the newly developing areas of the County and the interests of St. Louis City. The support of the former mayor of St. Louis City for the location in Illinois of the major airport for the St. Louis area to replace Lambert Field in Missouri was an attempt to counteract this westward flow of poopulation by opening up for development the close-in areas on the east side of the Mississippi.

The two old cities of St. Louis and East St. Louis have undergone the change in social class typical of central cities that have not expanded their boundaries for future growth.

Table 6

1970 Minority Races, Median Income, and Education, Counties in St. Louis Metropolitan Area

Counties	Family Median Income	% Minority Races	Average Education[a]
Missouri			
Franklin	$ 8,760	1.3	9.5
Jefferson	9,742	1.0	11.1
St. Charles	10,855	1.5	12.1
St. Louis City	8,182	41.3	9.6
St. Louis County	12,392	5.2	12.3
Illinois			
Madison	$10,249	5.5	11.5
Monroe	9,352	0.1	10.4
St. Clair	9,547	22.6	11.0
E. St. Louis	6,654	69.3	9.4

Source: 1970 Census of Population, Report PC (1) C-27 Missouri and Illinois, Tables 88, 89, 120 & 124.

[a] Median school years completed for all persons 25 years old and over.

These data have significance in illustrating the differences in social class and the concentration of minority races in the two major cities. One result has been a specialization of politics and problems. Minority race politics has acquired strength of its own in its acquisition of governmental resources in the old cities; from these bases the minorities are able to press for solutions to the problems important to them: inequality of opportunity, deteriorating facilities and services (including public transit) and jobs. Foremost of these problems is that of the fiscal disparity between the central cities and the suburbs brought on by the relative decline in the central cities' property tax base. (See Table 7.) St. Louis City has tried to solve this problem with a 1% earnings tax levied on those who reside and work in the City. Other governmental units continue to depend on the property tax as their main source of local tax revenue.

As could be expected, there are many units of local government. In addition to the two states and seven counties, there are 169 municipalities, 46 townships, 145 special districts (105 with property taxing powers) and 108 school districts.

The principal regional bodies as depicted in Figure 11, are the East-West Gateway Coordinating Council (established in 1965 and coterminous with the SMSA) and the Bi-State Development Agency embracing St. Louis County, St. Louis City, St. Charles County, and Jefferson County in Missouri and Madison, Monroe, and St. Clair Counties in Illinois. There is no single sewer district, this responsibility being divided principally between the Metropolitan Sewer District covering St. Louis City and St. Louis County and the East Side Levee Sanitary District operating within Madison County on the Illinois side.

Metropolitan Reform in St. Louis

St. Louis, Missouri, is a particularly striking example of the dilemma of American metropolitan areas. As a case study, St. Louis history is rich in the "how not to do it" literature of metropolitan reform (Schmandt, Steinbicker & Wendel, 1959). The unraveling of the unsuccessful metropolitan efforts in St. Louis has also become a fertile field of publication for both the analysts and the advocates of metropolitan reform.

Much of Scott Greer's (1963) pioneering work in attempting to understand the subjective meaning of metropolitan fragmentation, and citizen apathy or antagonizism to a reformed structure of government, is based on field work conducted in St. Louis, Missouri.

Depending on one's approach to metropolitan problems, St. Louis is either a foreboding example of the consequences of lost opportunity or a monument to the remarkable durability of the "jerry-built" system of local governments in metropolitan areas.

The Early St. Louis Adaptive Pattern

After incorporation in the eighteenth century, St. Louis was able to annex both incorporated and unincorporated territory through the 1860's by means of state enabling acts enlarging its boundaries. By the 1870's the city became disgusted with the county government, feeling exploited by the non-city residents of the county (Bollens, 1961, pp. 61-65).

Table 7

Percent of Growth in Assessed Valuations, Counties in the St. Louis Metropolitan Area, 1968-1972

	Assessed Val 1968	% of Total	Assessed Val 1972	% of Total	% Change 1968-1972
Missouri					
Franklin	$ 100,098,888	2.2	$ 142,326,233	2.6	+42.2
Jefferson	164,363,133	3.5	209,061,015	3.9	+27.2
St. Clair	169,254,113	3.7	236,955,241	4.4	+40.0
St. Louis County	2,405,235,425	51.9	3,058,992,332	56.6	+27.2
St. Louis City	1,797,469,835	38.7	1,754,375,184	32.5	- 2.4
Total Missouri	$4,636,421,394	100.0	$5,401,710,005	100.0	+16.5
			Assessed Val 1971		% Change 1968-1971
Illinois[a]					
Madison	$ 950,217,064	53.6	$ 996,465,495	53.7	+ 4.9
Monroe	65,770,806	3.7	83,339,413	4.5	+26.7
St. Clair	756,794,138	42.7	774,868,918	41.8	+ 2.4
E. St. Louis	(168,802,087)	(9.5)	(161,640,029)	(8.7)	(- 4.2)
Total Illinois	$1,772,782,008	100.0	$1,854,673,826	100.0	+ 4.6

Source: State Tax Commission of Missouri and Illinois State Department of Local Government Affairs. 1972 Illinois assessed valuations not available.

1970 Population (SMSA) — 2,364,000
Land Area — 4,119 sq mi
Total Units — 483

Regional (Multi-County)	East-West Gateway Coordinating Council St. Louis City St. Louis Co. Jefferson Co., Mo. St. Charles Co., Mo Franklin Co., Mo. Madison Co., Ill. St. Clair Co., Ill. Monroe Co., Ill. Board Org. — 25-Member Federation Major Functions - A-95 Review, Regional Planning	Bi-State Development Agency St. Louis City St. Louis Co. Jefferson Co., Mo. St. Charles Co., Mo. Madison Co., Ill. St. Clair Co., Ill. Monroe Co., Ill. Board Org. - 10 members appointed by Governors of Mo. & Ill. Major Functions - Public transit, Arch elevators, Granite City Harbor, Parks Metro Airport	Illinois Air Pollution Control Dist. Bond Co. Clinton Co. Madison Co. Monroe Co. Randolph Co. St. Clair Co. Washington Co. State Agency for Air Pollution Control	Mo. Air Quality Control District St. Louis City St. Louis Co. Franklin Co. St. Charles Co. Jefferson Co. State Agency for Air Poll. Control
			Other State Districts for Federal Categorical Programs: LEAA, CHP, OEO, HUD, Etc.	
County	7 General Purpose County Govts. (SMSA) St. Louis Airport Authority St. Louis Co. Operates Lambert Field	Tri-City Port Authority Madison Co., Ill. Multi-Purpose Special Dist., operational in ports only	St. Louis Metropolitan Sewer Authority St. Louis Co. & City Single Purpose Spec. District	East Side Levee Sanitary Dist. Madison Co., Ill. Single Purpose Special Dist.
OTHER	175 Cities	102 School Districts	148 Other Special Dists.	46 Townships

Fig. 11. Governmental Characteristics — St. Louis Metropolitan Area

In 1875 the city was successful in adding a pro-St. Louis City section to the new state constitution that provided St. Louis the ability to unilaterally determine its boundaries and separate itself from the county. A combined vote in the city and county (not requiring concurrent majorities) allowed the city to more than triple its area and achieve independence from the county in 1876.

Rapid urbanization during the next half a century resulted in the City of St. Louis becoming disenchanted with outmoded boundaries. Attempts to get the state legislature to enlarge the city's boundaries begun some thirty years after city-county separation were not successful. During the early 1920's state voters rejected proposed constitutional amendments to allow St. Louis to expand.

However, in 1924 a state constitutional amendment provided for the establishment of a joint board of freeholders (nine from the county, nine from the city) to place before the voters of the city and county their recommendation from three options for restructuring included in the amendment: (1) city-county consolidation under the city government; (2) the city's reentry into the county; (3) annexation of part of the county by the city. However, the procedure called for conclurrent majorities of city and county voters. When the proposal placed before the voters in 1926 was to consolidate the county area under the city government, it received a favorable vote in the city but was defeated decisively by out-of-city county voters.

In 1930 the voters of Missouri turned down a constitutional amendment that would have allowed the incorporated areas of St. Louis to retain their independence in a county-wide federation. While integrative proposals were being rejected, incorporations were occurring with frequency within the county — 23 new municipalities were added to the previous total of 15 in the county during the decade of the 1930's. By 1952 there were 94 incorporated cities, and St. Louis County enjoyed the dubious distinction of being second only to Cook County, Illinois, in number of incorporated municipalities.

Obviously, the developmental history of St. Louis indicates a concern by the area's leaders about the relationship of the central city to suburban growth areas. They had enjoyed some success with the state government. Again in 1945, the new Missouri constitution added another option specifically available to the city and county of St. Louis. This option permitted the establishment by petition of a joint city-county commission to draw up a charter for one or more metropolitan districts to meet the area's service needs. But despite St. Louis' favorable standing for metropolitan reform spelled out in the state constitution (Sec. 30(a)(b)), the state was willing to intervene only to the extent of permitting the establishment of a variety of integrative mechanisms, any of which would have to receive voter approval.

What is evident in the history of St. Louis is the city's painful realization that its dominant (and somewhat arrogant) relationship to the non-city county was steadily eroded as people rather consistently chose to live outside the city. That kind of choice as a cause of the unsymetrical spread city is attributed to a variety of reasons — from the morality play of the failure of Americans to love their cities to the more prosaic use of the automobile. Typically, such analysis emphasizes the helplessness of cities in relationship to negative (anti-city) forces at work in the process of metropolitanization. That attitude seems apparent at the leadership level in the City of St. Louis as they struggled with metropolitanism.

The complex web of reasons for urban spread are subject to a variety of interpretations. But few would disagree that the flight from central cities has been accelerated by Americans seeking to live in desirable (and available) residential housing. The derogated bedroom community, however, also was either concurrently or subsequently draining central cities of their traditional concentration of commerce and industry. Activity followed people to the suburbs. (And "where the action is" became the rallying cry of the beleaguered city-defenders). Some of the malaise lumped into the bundle of metropolitan problems is attributable to the perceived loss of status of the central city relative to the rest of the metropolitan area — not a particularly compelling argument for metropolitan reform, but one that appears recurrently in St. Louis history.

The very concept of what a central city is or should be has been stood on its head by metropolitanism. The "decline," "death," "plight," or "crisis" of central cities is endemic in metropolitan literature. It is only recently that concern has focused on making cities livable, rather than lamenting the anti-city growth of quasi-livable suburbs.

But with a remarkably contemporary emphasis on livability of cities, the nationally-known St. Louis city planning consultant, Harland Bartholomew, drew up his Urban Land Policy for the St. Louis City Plan Commission in 1936 (Johnston, 1973, p. 123).

The issues Bartholomew raised remain a source of conflict in many cities today. He pointed out the costs of cities' overzoning for commercial, industrial and multi-family development — with the dual result of nondevelopment in the city in many instances and single-family development becoming almost exclusively suburban. The Bartholomew plan tended to emphasize the essential importance to the city of residential neighborhoods, an idea rather unique for America's Empire cities in the 1930's.

While there is some validity in assuming that introspection on the part of the City of St. Louis might have been more productive than anti-suburban bitterness, the complexity of the St. Louis metropolitan area does not lend itself to analyzing missed cues in decision-making. Almost without exception the metropolitan reform proposals involve only St. Louis County and the City of St. Louis, which of themselves probably qualify for the phrase — "a maze of local governments" — but are not coterminous with the metropolitan area as defined by the Bureau of the Census in Standard Metropolitan Areas.

Recent St. Louis Adaptations

In 1936 Harlan Bartholomew could reasonably center his attention on the city, although his efforts focused on urban trends that clearly warned the city of loses relative to suburban growth, and suggested some remedial action in land-use zoning, etc. By 1951, Bartholomew was warning:

> The bi-state area is the city of the future.
>
> An over-all plan to guide and direct the population pattern of the entire bi-state area is badly needed. Such a plan has been prepared for only two parts of the area — St. Louis and St. Louis County — and these two plans have necessarily been made without the benefit of an overall metropolitan plan (Duffy, 1964, p. 15).

In the intervening years we may have become less sanguine about the ability of planning to "guide and direct population patterns," but Bartholomew's perception of the "city of the future" raises disturbing questions concerning the structure of government for what he described in essentially unitary terms.

It is apparent from the literature surrounding various St. Louis reform proposals that much of the impetus for such reform was grounded in concern over the relative decline of the St. Louis region as a dominant commercial and industrial center in the United States. Civic leaders believed the irrationality of governmental units was discouraging new businesses from locating within the region. That cause and effect relationship, while not obvious, is accepted as the gospel by the St. Louis reform group. Thomas Duffy concludes of the constituent units of the area:

> Statistically, they form the ninth most populous and the tenth largest economic area in the nation. The area should rank substantially higher in both categories. Beneath its failure lies a continuing story of frustration and non-realization of one of the greatest potentials in the county, and a present-day struggle to shed the reason for failure (Duffy, 1964, p. 13).

And statistically, another article, again underscores a low growth rate as a major metropolitan problem for the St. Louis area:

> From 1900 to 1950 all other metropolitan areas averaged a population growth one and one-half times that of metropolitan St. Louis. Between 1950 and 1960 its growth was 19.8 per cent as compared with an average of 26.4 per cent for all 212 metropolitan areas. The relative population decline continued through 1967, and in the period since 1950 the area slipped from 8th to 10th rank in the country (Ross & Grossman, 1968, p. 32).

The organizational effort that resulted in the formation of the Bi-State Development Agency grew out of that kind of concern for growth and vigor for the region.

With two-thirds of the population of the entire metropolitan area residing in St. Louis City and St. Louis County, results of these two units were the focus of the various metropolitan reform movements. In the summer of 1956 the Metropolitan St. Louis Survey was initiated to conduct a broad-scale examination of the area's governmental needs. Growing out of the metropolitan reform movement of the 50's, the Survey was a joint project of the political science departments of St. Louis University and Washington University, funded by the Ford Foundation and the McDonnell Aircraft Corporation Charitable Trust.

Prior to the initiation of the Survey, an ambitious young St. Louis alderman, A. J. Cervantes, was leading a movement to obtain signatures on petitions to establish a board of freeholders to draw up a metropolitan charter, under Missouri law.

The then incumbent mayor of St. Louis, Mayor Tucker, was not pleased with Cervantes leadership ambitions, and enthusiastically backed the idea of a study of metropolitan reform as an alternative to the action proposed by the Cervantes group.

The Survey itself was to become an issue in the subsequent (1959) metropolitan reform campaign. Critics would argue that the recommendations of the Survey were influenced too greatly by the "art of the possible" rather than "real needs" for metropolitan reform. Extensive public opinion sampling in the City and County did make obvious the public's hostility to major reform.

Of the four possibilities contained in Missouri law — merger, reentry, annexation and the special district approach — the latter appeared least traumatic and most likely to win voter approval in the County and City. The prestige of the Survey's findings was to become decisive in the deliberations of the board of freeholders appointed to draft a metropolitan charter.

The proposal voted upon by St. Louis County and City residents in 1959 would have created another level of government in the form of a multi-function special district. The proposal attracted the opposition of both those who favored the status quo, suspicious of any form of metropolitan government, and those who opposed the special district as inadequate to solve problems which required a merger of city and county governing systems. This cleavage between the unitary and federated groups within the reform movement in St. Louis is credited with being a significant aspect of the failure of reform. The 1959 multi-function special district proposal was defeated by a two to one margin by city voters, and by a three to one margin by voters in the county.

In common with other analytical treatments of metropolitan reform campaigns, there are no really satisfactory reasons that explain defeat or success for St. Louis. In terms of the influence of what might loosely be labeled the power structure in St. Louis — political, business, civic and labor leaders — most were in the column of supporters of metropolitan reform. But in terms of stakes, the diagnosis of failure concludes that their support was marginal rather than committed.

In 1962 the consolidationist wing of the St. Louis reform movement chose another tack, ignoring the specified routes for reform of St. Louis County and City in the Missouri Constitution. The self-styled "borough-plan" of 1962 which would have consolidated city and county government, was placed by initiative petition on the state-wide ballot as a constitutional amendment. The issues identified during this campaign (which was ignored by most of the state) were more specific than the generalized rhetoric about "taxes, supergovernments, economy and efficiency" present in the 1959 campaign.

Henry Schmandt (1963, p. 101) listed five basic issues developed in 1962: the strategy of a state-wide vote to "impose" change, economic development, the City's growing black population, the workability of the plan, and the need for drastic change.

Statewide the amendment failed with 630,073 opposed and 217,252 favoring the amendment. In St. Louis City the average vote ratio was opposed by six to five, in the black wards the losing margin was two to one. The margin of defeat by county voters was four to one. The borough-plan failed to achieve the support of the areas' politicians and the general impression of the 1962 campaign was "that business backed the plan and the politicians opposed it" (Schmandt, 1963, p. 102).

John Bollens has used St. Louis as an example of "resort to a special district" approach after the failure of more sweeping reform proposals. However, the course of events in St. Louis is really not that logical. Metropolitan reform proposals were presented to the voters "before and after" the creation of two metropolitan units — Bi-State and the Metropolitan Sewer District, with no particularly rational sequential pattern. For example, the more drastic borough plan was presented to voters after the rather decisive defeat of the more moderate multi-function special district. The potential of adding to the existing functions of the sewer district and Bi-State has not been realized to any significant degree. There is the suggestion that neither of these metropolitan agencies' performance has earned voter approval.

The need for adequate sewers often poses a metropolitan problem of substance that generates structural change. In St. Louis this problem was characterized as "critical" for the city and close-in suburbs. In 1954 a study of the problem by the Bi-State Development Agency and a joint city-county committee recommended the creation of the Metropolitan Sewer District for the City and contiguous one-third of St. Louis County in greatest need. Bi-State was limited to "making plans and policy recommendations" for sewage and drainage facilities, although, under the 1959 amendments to the compact, it may now operate sewage disposal plants. Bi-State lists the establishment of the sewer district as an accomplishment, although there is no apparent reason to conclude that the sewer district would not have been formed if Bi-State had not existed.

Created under one of the four options available to St. Louis County and City under Missouri law, the charter of the Metropolitan Sewer District was approved by voters in the City and the densely populated adjacent one-third of the county in 1954 by three to one margins in both areas. The Charter provided for the establishment of a special district that could acquire, operate, build, and maintain all sewer facilities within the district. The Charter also provided that additional services could be provided by amending the charter by a popular vote.

The area of the district can be expanded through petition of a majority of the owners of land of more than one-half of the land to be annexed, implemented by board ordinance, or by petition of at least one hundred owners of land to be annexed and approved by a majority of voters in the area.

The district's governing body is composed of three trustees appointed by the mayor of St. Louis with the approval of a majority of the judges of the circuit court in the city, and three selected by the county supervisor with approval of the local district court. The district can levy taxes up to 10 cents for each $100 of assessed valuation, collect special assessments, issue bonds after voter approval, and make service charges.

In 1955 a proposal to enlarge the function of the district to operate public transit was defeated by voters in the county and city. The opinion data collected during the St. Louis Metropolitan Survey in 1956 indicated that voters were more dissatisfied with the performance of the Sewer District than local government in general. The proposed 1959 reorganization for a county-wide multi-purpose special district would have absorbed the sewer district had it been successful.

Regionalism in St. Louis is obviously beset with any number of difficulties, perhaps the most basic being the difficulties experienced in the relations of the City and County of St. Louis. In the broader Bi-State area, these difficulties are compounded, as numerous perspectives are brought to bear on the area's "problems."

The Origins of Bi-State

As indicated previously, there were concerns about the decline in the St. Louis area relative to other metropolitan areas. It was felt that the economic revitalization of the area depended upon a recognition of the interdependence of both sides of the river and the consequent need for burying past differences and the creation of a mechanism for bringing together leaders from Missouri and Illinois. The New York Port Authority and the Delaware River Port Authority, upon which Bi-State was modeled, had their Chambers of Commerce of the State of New York and of Greater Philadelphia, which were able to span state lines. However, there was no such regional association in St. Louis and consequently, leaders in business and industry formed the Metropolitan Plan Association in 1944 for this purpose (Barton, 1965, p. 81).

The Association moved quickly to develop a regionwide plan and in the process to unify the business community on both sides of the river behind the movement. Fourteen Functional Committees were created to study the following problem areas: airports, economic survey, flood control, highways and bridges, housing and redevelopment, land use and zoning, mass transportation, population study, railroads, recreation and conservation, rivers development, sewerage and drainage, trucking facilities, water supply. Simultaneously, six Area Planning Groups were formed representing St. Louis City and the counties of St. Louis, Jefferson and St. Charles in Missouri, and of St. Clair and Monroe in Illinois. Cross representation between the area and functional committees was effected (Bi-State Commission, 1949).

These groups recommended legislation creating an interim Bi-State Commission and produced a preliminary "Guide Plan for the Development of the Missouri-Illinois Metropolitan Area." The necessary legislation was passed by the two legislatures in 1948 and the interim body created. Five members from each state were appointed by the respective governors: three newspapermen, three industry representatives, a banker, an attorney, a realtor, and a retailer. Using the Guide Plan and an opinion survey of metropolitan leaders, the Commission narrowed the 14 problem areas to "seven major projects as illustrating the urgent metropolitan needs requiring a permanent agency for their advancement, namely: airports, union freight terminals, highways and bridges, mass transportation, sewerage and drainage facilities, railroads, and parks and conservation areas" (Bi-State Commission, 1949, p. 5). For reasons not discussed in the publicity and literature, seven problem areas were rated as not having urgency: population study, economic survey (probably a part of the Guide Plan), trucking facilities (clearly included in the union freight terminals category), land use and zoning, water supply, housing and redevelopment (possibly seen as already being handled by the public sector), and, ironically, flood control.

At an areawide conference held December 17, 1948, and attended by representatives of the public and private sectors the Commission submitted a resolution proposing a Bi-State Development Agency and it was unanimously adopted.

> Thereupon the necessary LEGISLATIVE ACTS for establishing the proposed Bi-State Development Agency were perfected by the Bi-State Commission with the aid of an Advisory Legislative Committee, the Legislative Reference Departments of Missouri and Illinois, the Commission on Intergovernmental Cooperation and the Council of State Governments. The Bi-State Commission prepared a REPORT TO THE GOVERNORS AND LEGISLATURES of the two states entitled "A Bi-State Development Agency for The Missouri Illinois Metropolitan Area" which includes the compact with a plan of organization and administration, and supplementing legislation and also other material supporting the proposed legislation (Bi-State Commission, 1949, p. 6).

On June 30, 1949, the necessary enabling acts were passed by the Missouri and Illinois legislatures and the compact signed on September 20, 1949 (Missouri Laws, 1949, p. 558).

Organization and Powers of Bi-State

Modeled after the Port Authority of New York, Bi-State operates from a geographical base of 3,000 sq mi spread over three counties in Illinois and three in Missouri. The governing body for the agency is composed of ten directors, with the governors of Illinois and Missouri appointing five each for overlapping five-year terms. The voting system specifies that decisions can be made only with

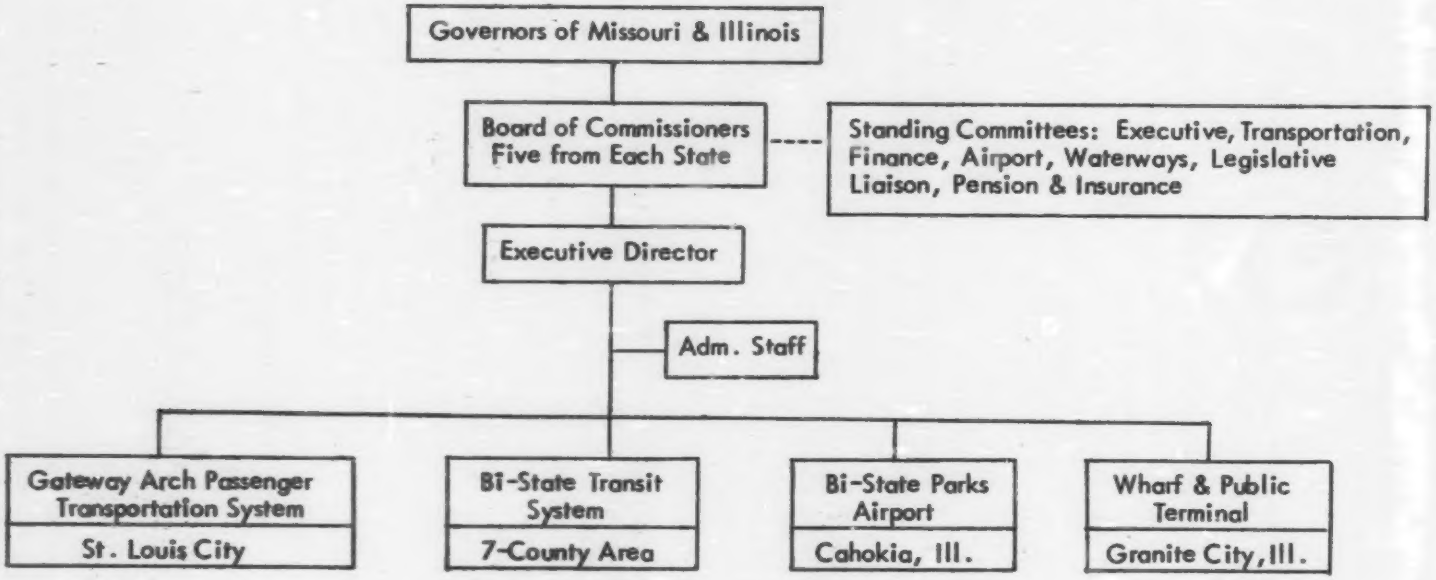

Governors of Missouri & Illinois
Board of Commissioners Five from Each State
Standing Committees: Executive, Transportation, Finance, Airport, Waterways, Legislative Liaison, Pension & Insurance
Executive Director
Adm. Staff
Gateway Arch Passenger Transportation System
St. Louis City
Bi-State Transit System
7-County Area
Bi-State Parks Airport
Cahokia, Ill.
Wharf & Public Terminal
Granite City, Ill.

Fig. 12. Organization and Functions — Bi-State Development Agency

concurrent majorities within each state group; i.e., a six-four vote in which only one Illinois commissioner voted for the proposal would be invalid.

Bi-State has no taxing powers, nor can it issue general obligation bonds. It can charge fees and issue revenue bonds without referenda.

Its powers fall into two broad categories: operational and planning. First, it can own and operate bridges, tunnels, airports, wharves, docks and harbors, warehouses, commodity and other storage facilities, grain elevators, sewage disposal plants, passenger transportation facilities, air, water, rail, motor vehicle and other terminal facilities (Missouri Laws, 1949, p. 558; 1958, 2nd extra session, p. 150; and 1959, S.B. 25).

Secondly, it can "make plans for submission to the communities involved for coordination of streets, highways, parkways, parking areas, water supply and sewage and disposal works, recreational and conservation facilities and projects, land use patterns and other matters in which joint or coordinated action of the communities within the areas will be generally beneficial." Such planning powers are, therefore, only advisory, but "when such plans are duly approved by the legislatures of the two states, they shall be binding upon both states with the same force and effect as if incorporated in this compact." Bi-State may also make recommendations to Congress for the improvement of transportation, terminal, and other facilities in the district (Missouri Laws, 1949, p. 558; 1958, 2nd extra session, p. 150; and 1959, S.B. 25).

As an indication of the importance of its planning function, the Agency questioned the decision of East West Gateway Coordinating Council in 1971 to initiate planning for rapid transit and pointed out that Bi-State "was the only legally established transportation agency for the metropolitan area" (Bi-State Development Agency, Annual Report, 1971-72).

The staff is small (currently an Executive Director and three other employees), who operate their facilities through agreements with private or public organizations. The cost of staff is borne by administrative fees charged to the operating programs. At the time of writing, the contract of the Transit Services Corporation for operation of the Bi-State Transit System was due to expire and the Agency was considering bringing the System's employees directly under its supervision, due partially at least to a belief that the "middleman" between a customer's complaint and its resolution should be eliminated.

The Bi-State Enterprises

Granite City Wharf

In 1956, Bi-State constructed the Granite City Wharf and Public Terminal in Madison County, Illinois, made possible by a temporary construction loan from the Granite City Steel Company because financial provisions of the compact made it difficult to market Bi-State revenue bonds immediately (Bi-State Development Agency, 1971-72, p.46). It has received considerable recognition for:

1) being the only major public terminal on the entire Mississippi River; 2) not utilizing public borrowing and taxes; and 3) for linking together three modes of communication at a vital point on the river (Bi-State Development Agency, 1971-72, p. 48). For 1973, expenditures were estimated at $39,995, revenues at $162,600, resulting in an estimated surplus of $122,605 (Illinois Intergovernmental Corporation Commission, 1973).

A competing dock was built adjacent to the Bi-State Wharf by the Tri-City Regional Port District. The District was created under Illinois legislation passed in 1959. Its jurisdiction embraces four townships and two islands in Madison County. The legislation enables the Tri-City District to operate ports, sewerage systems, public incinerators, and airports, to float general obligations bonds, and to levy taxes to defray the cost of debt service (Illinois Laws, 1959, p. 71). At the present time the Tri-City District is in the port function only, although it is reviewing with various local governments in Madison County the feasibility of building and operating a public incinerator.

The method of selecting members of the governing body, who serve 3-year staggered terms, establishes ties to local politics. In addition to four members appointed by the Governor, three additional members are appointees of the mayors of the cities of Granite, Venice and Madison.

Thus, two separate special districts, both created by the Illinois legislature and completely independent of each, operate wharfs adjacent to each other. However, it is not so much an example of inconsistency of state policy and politics as it is an indication of the disaffection by local leaders for Bi-State. It is said by Illinois interests that Bi-State was oriented to St. Louis and indifferent to local Illinois interests. (The public area of the Bi-State Wharf is under long-term lease to a St. Louis firm.)

However, to judge from recent articles in the press, additional port facilities are needed on the St. Louis side of the river. It is pointed out that St. Louis is the only sizeable port area on the Mississippi River which has not received federal funds for harbor construction and improvement since World War II. The failure to receive such funds is attributed to the fact that proposals have never been submitted to the Federal government. One of the striking things about such publicity is that Bi-State is not referred to as one of the agencies involved in the problem. The Chamber of Commerce of Metropolitan St. Louis is criticized for its failure to develop a workable plan, and it, in turn, has commissioned East West Gateway to conduct a needs study (St. Louis Post-Dispatch, May 23 and May 29, 1973).

Gateway Arch

The Arch is a prime example of Bi-State's role in stepping in to meet a public service problem which lends itself to user charges. The Arch is operated by the National Park Service. Funds for construction of the Arch were insufficient to include passenger elevators. In 1962 Bi-State offered to use its revenue bond powers to provide the $3,300,000 needed for elevators in both legs of the Arch, which were completed and placed in operation by May 1968. A 30-year lease was entered into between Bi-State and the Park Service as a basis for the revenue bond financing (Kirkpatrick, 1971-72, p. 294).

The operation has been a financial success to date. Net income to Bi-State for the 1972 and 1973 fiscal years was $260,000 and $290,000 respectively (Bi-State Development Agency, 1971-72, p. 10; Illinois Intergovernmental Corporation Commission, 1973, p. 6).

Bridges

Bridges across the Mississippi were seen early as a vital part of Bi-State's program. They were an essential part of the transportation system. ". . . , the political unit controlling all or most of the bridges across the Mississippi or their construction could also control traffic flow, which to a large extent means control of the pattern of land use and residential occupance. Hence, control of the bridges could well determine the operational milieu in which any area-wide government would operate" (Public Adm & Metropolitan Affairs Program, 1965, p. 49).

Bi-State attempted in 1955 to acquire the McKinley Bridge, located between St. Louis City and Venice, Illinois and owned by the Illinois Terminal Railroad. The attempt was blocked by a suit, and new legislation was needed to clarify Bi-State's powers. Several years elapsed in the meantime, and by the time the suit was dropped in the late 1950's the bridge had been sold to others (Public Adm & Metro Affairs Program, 1965, p. 51).

Bi-State maintained an interest in bridges, however, coming out with a study in February 1963, proposing a toll bridge between Crystal City in Jefferson County, Missouri, and Harrisonville in Monroe County, Illinois. However, a separate organization — the Missouri-Illinois-Jefferson-Monroe Bridge Commission was created in 1965 by compact between the two states. Five commissioners from each state are appointed by the governors. The purpose of the Commission was, as stated in the compact, to "plan, construct, maintain and operate a bridge and approaches thereto across the Mississippi River at or near Crystal City, Missouri, at a point deemed by the Commission as most suitable to the interests of the citizens of the States of Illinois and Missouri; . . . (Kirkpatrick, 1971-72, p. 326). Since 1965, the Commission has been engaged in planning for the bridge. No definite date for construction is currently under consideration.

Current planning activities of the Commission have been hampered by the indecision regarding the location of additional airport facilities, either in the Waterloo, Illinois area, Monroe County, or through expansion of Lambert Field in St. Louis County. The last meeting of the Commission was held in April 1972, and no further meetings will be held until the airport decision has been made (Illinois Intergovernmental Corporation Commission, 1973, p. 60).

Airports

Another functional responsibility of consequence is the operation of Bi-State Parks Airport at Cahokia, Illinois, a general aviation airport convenient to downtown St. Louis. After four years of negotiations the agency was able to successfully package the funds necessary to acquire and develop the airport with grants from the Federal Aviation Administration, the State of Illinois, an advance of $500,000 payable over seven years from the City of St. Louis, and revenue bonds. Originally Bi-State proposed to purchase Parks Airport with funds from the federal government, Illinois and revenue bonds, and lease it to the City of St. Louis. But St. Louis, fearful of being handed a tax bill by the Illinois taxing authorities, was vehemently opposed to leasing and operating an airport within the Illinois taxing jurisdiction. Ultimately, Bi-State reached an agreement with the Southwest Civic Memorial Airport Association, "a group composed of East St. Louis area leaders who had organized to prevent the airport site from being converted into subdivisions," to operate the airport. The airport was reopened in April 1965, as Bi-State Parks Airport. The airport had a deficit of $17,221 in 1972, but it is expected to be in the black by 1975 (Illinois Intergovernmental Corporation Commission, 1973, p. 7).

One of the criticisms levelling at Bi-State is that it is too timid. But while it is a state-created regional entity, Bi-State's powers are still subject to the consentual agreement of local and state governments. Unless local and state governments are willing to cooperate voluntarily, Bi-State is not likely to act. The location of a project in either Illinois or Missouri almost guarantees the opposition of the excluded state. In 1969, at the request of East-West Gateway, Bi-State assumed the mantle of Metropolitan Airport Authority, responsible for coordination of operation and development of all airfields in the region. But Illinois and Missouri are in fierce competition to become the site of a major new airport in the St. Louis region. Locating a new airport on the Missouri side or expanding Lambert Field was not as feasible, according to numerous studies, as an Illinois site, although hope has not died on the Missouri side. But Bi-State has not been utilized to coordinate the airport problem. In 1970 the Governor of Illinois chose to establish a new Illinois agency to cooperate with the City of St. Louis for the development in Illinois of a new metropolitan airport.

At this point in time, there are at least four airport organizations involved in the major airport developments: 1) Bi-State, itself; 2) the Illinois-St. Louis Airport Authority promoting the location of a metropolitan airport at Waterloo, Illinois; 3) the Missouri-St. Louis Airport Authority supporting expansion of Lambert Field; and 4) St. Louis Airport Authority which operates Lambert Field. The decision between Illinois and Missouri sites will be made by the Federal Aviation Administration. The Illinois location was assumed to be the choice of FAA, since apparently Lambert Field could not be enlarged to the extent necessary, but it is claimed that economic and political pressures on FAA will prove this assumption incorrect. Gubernatorial choices have shifted from Democratic to Republican in Missouri and from Republican to Democratic in Illinois in the past year. These changes plus alleged pressures from a hotel chain which opened a new hotel at Lambert Field in 1972, have led to speculation that the Illinois site is being reconsidered (St. Louis Post-Dispatch, April 11 and April 12, 1973). The recent high rate of turnover among top federal executives seems to have delayed the St. Louis decision further (Time, July 23, 1973).

Wherever the site, it is clear that Bi-State will not be able to include operation of a regional airport as one of its enterprises. Local governmental officials cite the non-representativeness of the Bi-State structure as a principal reason; two commissioners of Bi-State stated that the airport was too great a political prize for the State to give it up. Whatever the reasons the chances for Bi-State to become a regional airport authority appear to be non-existent.

Environmental Control

Environmental control activities in St. Louis are scattered across a variety of local governmental agencies.

Sewage Treatment: Metropolitan Sewer District and the East Side Levee Sanitary District. A proposal has been submitted to EPA to form MERTA (Metropolitan East Regional Treatment Association) to add East St. Louis and Sauget to the area covered by ESLSD.

Air Pollution: St. Louis County and St. Louis City.

Flood Plain Zoning: East-West Gateway Coordinating Council has plans for flood plain zoning, but counties and cities have not adopted these plans.

Radiation, Noise Pollution, and Visual Pollution Controls: None.

Thus, Bi-State has no active role in environmental control at the present time.

It has, however, conducted important studies on stream and air pollution. Its study in the 1950's of pollution of the Mississippi, sponsored by the U S Public Health Service, the Illinois Sanitary Water Board and the Missouri State Board of Health, led to the Agency's persuading industry to voluntarily install over 7 million dollars of treatment equipment by 1960 (Public Adm & Metro Affairs Program, 1965, p. 41).

As a direct result of a second survey began in 1951, the voters of St. Louis City and County approved in 1954 the creation of the Metropolitan St. Louis Sewer District. (Bi-State did not have the power to operate in this field until the 1958 amendments to the compact.) Finally, Bi-State was one of the sponsors and participated in the 1967 Interstate Air Pollution Survey of the St. Louis Metropolitan Area.

The States of Missouri and Illinois are involved in varying degrees in pollution control programs in the St. Louis area. Region 1 of the Missouri Air Conservation Commission is responsible for monitoring and enforcing the Commission's air pollution control regulations in St. Louis City, and St. Louis, Jefferson, Franklin and St. Charles Counties. St. Louis City and St. Louis County are two of the five local governmental units in Missouri operating under "certificates of authority" to maintain their own control programs. Region 1 directly operates its own monitoring and control program in Jefferson, Franklin, and St. Charles counties (Missouri Air Conservation Commission, 1972).

On the Illinois side of the area the Illinois Environmental Protection Agency has a district office covering seven counties, including St. Clair, Madison, Monroe, in the immediate St. Louis area. The Division Office, located in Collinsville, engages in direct monitoring and control programs in four areas of pollution control: air, water, noise and land (Illinois Environmental Protection Agency, 1972).

Public Transit

Prior to its assumption of the metropolitan public transit function in 1963, Bi-State's enterprises had been quasi-public in nature, in the sense that they subsisted on user charges, did not require tax support, and did not impinge upon the interests of local government. Of these three characteristics, the first two seemed to apply equally to mass transit; the freedom from $1,900,000 annually in local taxes seemed to guarantee that the operation could maintain itself from the farebox. Such tax relief equally guaranteed that the third characteristic did not apply; the pending loss of $1,300,000 annually to St. Louis City in property and gross receipts taxes precipitated its sharp opposition to Bi-State's proposed purchase of the private companies. Opposition interests in St. Louis pointed out also that takeover by Bi-State would free mass transit fares from review by the Missouri Public Service Commission. Further, the Commissioners of Bi-State were reluctant to make an exception to their policy of not competing with private enterprise; they preferred that the private companies continue in operation with the aid of local tax subsidies or concessions. However, the private operators were cooperative; most of them were anxious to get their capital back. The Public Service Company, the operator in St. Louis City, and the County Transit Company in St. Louis County were losing annually $900,000 and $50,000, respectively (Public Adm & Metro Affairs Program, 1965, p. 57).

The Commissioners of Bi-State knew that they were embarking on a new and perilous course, but it was seen also as a test of the Agency's ability to play a needed enterprise role of an obviously metropolitan nature. One additional condition had to be met, however, before Bi-State would proceed further: the support and cooperation of local government. Bi-State tested this by asking for contributions of $100,000 from local governments to defray the cost of an appraisal of the private companies, a necessary preliminary to the sale of bonds. The governments responded promptly with the needed funds, including St. Louis City which was developing a separate proposal in which the City would purchase the Public Service Company and operate it as a City enterprise. The other supporters were East St. Louis, Alton, Belleville and St. Louis County. Support from these sources satisfied the condition of local support required by the Commissioners and agreements were ultimately executed to purchase eleven bus companies in Illinois and three in Missouri at a total cost of $23,000,000 (Public Adm & Metro Affairs Program, 1965, p. 65). A professional transit management firm, Transit Service Corporation, Inc., made up originally of former executives of the Public Service Company was retained under contract to operate the system.

Bi-State quickly began to receive an education in the politics of public services. There were publics involved in mass transit that did not exist with respect to the Arch elevators, or the Granite City Wharf, or the Cahokia airport. These latter enterprises could be closed down without any sense of loss of a vital public service. Mass transit, however, is increasingly viewed as an essential public service.

The automobile and growth of regional shopping centers were destroying the market for public transit all across the country. Declining ridership led to increased fares which, in turn, stimulated riders to seek other forms of transportation. Within six months of the takeover by Bi-State, it had to increase the fares; yet its fares for the first year of operation were $2,200,000 less than that received by the private companies. Only the tax relief permitted them to operate in the black in the first year; profit for 1964 was a modest $13,000 (Public Adm & Metro Affairs Program, 1965, p. 72). Bi-State's commitment to live out of the fare box eliminated any consideration of public subsidies. But public subsidies did come, as they had to. It took ten years in the face of an imminent shut-down of the service, but in 1973 enabling legislation was passed in both states permitting a 1/2¢ sales tax to be levied by local governments for mass transit. This legislation had been preceded by an appropriation to Bi-State by the Missouri General Assembly in 1972 of $1,265,000 out of the $1,953,000 requested. The total deficit projected for June 30, 1973, exclusive of public subsidy, was estimated at $4,956,300 (Bi-State Development Agency, 197[illegible] p. 3). To avoid the system closing down by April 1973, local governments contributed the difference of $688,000 between what had been requested of the legislature and what was appropriated in order to keep the system afloat until July 1, 1973. Annual revenues from the sales tax are estimated at $19,000,000.

The ten years of operation of public transit has been a politicizing experience for Bi-State. It has had to cope with: (1) the riders themselves, of whom there are several sub-groups; (2) downtown retail interests of St. Louis, E. St. Louis, Granite City, Alton, and Belleville who were alert to block any changes in zone fares which might create a competitive advantage for another city; and (3) the minority races who press for jobs with the transit company and greater equality for those who already have them. Over the years these groups built up a considerable backlog of dissatisfaction against Bi-State, of which the local public officials were well aware. Bi-State brought into the transit operation management skills, but not political skills. When the time came to "go public," in the sense of seeking support from area local governments, the political base was not there. Such funds were ultimately obtained but Bi-State had to pay the price of enduring considerable criticism and, eventually, of acceding to the Missouri Governor's request that all Missouri Commissioners resign. The State of Missouri had stepped into the picture by commissioning a study which recommended, among other things, that all the present commissioners resign, with their replacements to be nominated by the East-West Gateway Coordinating Council for appointment by the Governor (Stone and Webster, Management Consultants, Inc. and ATE Management and Service Co., Inc., 1972, p. 10). The threat of an imminent shutdown of all transit operations undoubtedly contributed more to the success in establishing a public support base for the transit operation, than public confidence in the Board or its transit managers.

The alleged lack of representativeness of the Bi-State Board was the stated reason for the reluctance of local municipal and county officials and state delegates to assist Bi-State. It was said of the Bi-State Commissioners that "most are businessmen, bankers or labor leaders who are either rewarded by the governor for their past political and financial support, or who are recommended for appointment by influential friends. They have no ties to local political leaders. They have no constituencies and can muster few inducements or threats to generate political action" (St. Louis Post-Dispatch, Feb 11 and Feb 23, 1973). Of the three commissioners interviewed in this study, the two from Illinois were businessmen who stated that they had made no contribution of any kind to the Governor's campaign and were appointed on the basis of their community contributions. The one Missouri commissioner interviewed had been active in national political races and had requested the appointment.

There were mixed views about what kind of structure would assure more representativeness in Bi-State. Some public officials have no ojbection to appointments by the Governor as long as he confers with them in prospective candidates. Others would prefer the federated approach of having local elected officials serve directly on the Board arguing essentially that elections are the true basis for accountability and political viability. A third view is that operations should be isolated from the "politician," in order to preserve efficiency and financial integrity. Finally, there is the assertion that representativeness is not the issue; the real problems are those forces that have caused the financial plight of public transit. Suffice it to say that whenever a private enterprise which is rendering what is accepted as a public service must acquire public resources, its accountability must expand to accommodate the social and political mechanisms which determine who shall share in such resources. Manifestly, Bi-State must actively relate to the local and state political systems. Since it must depend upon local tax resources, it is apparent that its Board structure and programs should reflect a greater degree of local accountability than it has in the past.

Rapid Transit

The existence in one area of a council of governments with responsibilities for comprehensive planning and one or more regional agencies (either single or multi-purpose) with operational responsibilities, inevitably leads to friction. In St. Louis the issue of responsibility for rapid transit planning brought Bi-State and East West Gateway into brief conflict in 1970.

Bi-State had contracted with consultants in 1969 for a rapid transit feasibility study. It was conducted as a cooperative effort by Bi-State, the Missouri and Illinois State Highway Departments, East West Gateway and a number of other organizations (Parsons, et al., n.d., p. 5). It was clear, however, that Bi-State saw itself as being the official sponsor of the project.

Before the final report was distributed, East West Gateway initiated its own planning project, as reported in Bi-State's 1971-72 annual report:

> The St. Louis Metropolitan Area Rapid Transit Feasibility Study, sponsored by the Agency, was concluded during the fiscal year. Copies of the two-volume report and an abridged summary were distributed to Commissioners of the Agency on August 19, 1971, and then mailed to other area business, civic and financial leaders.
>
> Even before formal completion of that report on June 30, 1971, Directors of the East-West Gateway Coordinating Council, the voluntary regional planning agency, authorized appointment of a special committee to be called the St. Louis Area Rapid Transit Authority (SLARTA). This organization was intended to handle all future rapid transit planning and promotion even though Bi-State was the only legally established transportation agency for the metropolitan area.
>
> The establishment of SLARTA, which would make locally elected officials responsible for the planning for a future rapid transit system, but not responsible for preservation of the existing public transit system, has had unfortunate results for this metropolitan area. Realizing that public transportation should only be the responsibility of a single Agency in the St. Louis Metropolitan Area, Bi-State, on November 8, 1971, offered to turn over its Bi-State Transit System to the East-West Gateway Coordinating Council. That offer was not accepted, and the situation remained extremely unstable until in January, 1972, the Urban Mass Transportation Administration, in identical letters to Bi-State and the East-West Gateway Coordinating Council, made it clear that the first priority for any metropolitan area would be preservation of the existing transportation system, and until that requirement was satisfied, no federal funds for new systems would become available.

The issue was resolved by Bi-State's agreeing to relinquish its claim as having exclusive responsibility for rapid transit planning, in return for East-West Gateway's support of Bi-State's efforts to obtain local tax support for the transit operation.

The feasibility study recommended 86 miles of new rail transit and 14 miles of existing trackage at a total estimated capital cost of $1.5 billion at 1970 price levels (Parsons, et al., n.d., p. 19). The project has been deferred by the abandonment in June 1973 of a proposed $730,000,000 State transportation bond issue that would have provided $120,000,000 for a start on rapid transit construction in St. Louis (St. Louis Post-Dispatch, Apr 18, 1973).

In somewhat uncharacteristic fashion, the consulting engineer's report questioned representativeness of Bi-State's Board in view of the need to float local bond issues to finance construction. It recommended that legislation be considered which would amend the Compact between Missouri and Illinois creating Bi-State "to provide for the selection of agency members consistent with the degree of obligation incurred by each of the political subdivisions" (Parsons, et al., n.d.,

p. 17). In support of this recommendation, the report went on to say:

> During the course of the study, some strong feelings were encountered on the part of public officials and private businessmen that the selection of agency (Bi-State) members should be made in a manner more consistent with the degree of obligation to be incurred by each of the political subdivisions than is now provided for in the Compact. Since substantial public support will be required to finance the Long-Range Transit Program, consideration should be given to this matter (Parsons, et al., n.d., p. 19).

There is no evidence that Bi-State took any action to implement the recommendations to change the composition of its Board.

Other

Two abortive enterprises should be noted in passing. A $5,900,000 grain elevator was proposed in 1964 by Bi-State for location adjacent to its wharf at Granite City. The Agency was unable to obtain a satisfactory rate of interest on the proposed revenue bonds (Duffy, 1964, p. 17). In the meantime, the Tri-City Regional Port Authority was formed and now occupies this site.

Bi-State entered into an agreement in the early 60's with the Industrial Park Corporation of the St. Louis Chamber of Commerce to build and operate an industrial park in northern St. Louis County. There was considerable opposition from the Illinois side because of previous engineering studies as to the prohibitive cost of protection of the site from flooding and a 1959 consultant's report which advised the Industrial Park Corporation that the Illinois side of the river offered the most attractive sites for industrial development. In addition, Bi-State had no power to form a levee district, which was apparently necessary, and some way to finance an estimated cost of $10,000,000 for access and interior roads had to be found. Subsequently, a proposed bond issue of $7,000,000 for roads was defeated by the voters on March 3, 1964 (Duffy, 1964, pp. 18-19).

The Metropolitan Role of Bi-State

The original resolution of the Bi-State Commission stated that the Bi-State Development Agency

> will engage in activities supplementing, but not supplanting, established governmental agencies and encouraging, but in no way encroaching upon private enterprise; . . . "

In interviews held in 1973 with Bi-State officials the "residual" role of Bi-State was emphasized. Modeled originally after the New York Port Authority, the Agency logically could have become the regional authority, for ports, airports, transportation (embracing airports, parking, highways and bridges), sewage disposal, and planning, if one interpreted its grant of powers literally. The fact is, however, that the Agency, with the exception of mass transit, has played a relatively minor role in these functions, preferring to avoid the initiative in expanding its role, and engaging in new activities only when there appears to be no other agency in which to locate them. The ill-fated attempt in 1965 to become the regional planning and A-95 review agency was promoted more by the staff than by the Commissioners. The mass transit function was taken on reluctantly; the preferred solution of the Agency for the collapsing mass transit system would have been to continue under the present private operators with tax subsidies provided by local government. The Agency said, "we have not sought, nor do we seek, the arduous task of owning and managing a consolidated transit system. But, in the face of reasonable indications that the requirements necessary to continue private operations are absent, some form of public ownership appears mandatory" (Public Adm & Metro Affairs Program, 1965, p. 67).

Thus the role of Bi-State was seen originally, and still today, as a limited one, operating a number of self-supporting enterprises (the Gateway Arch elevator, the Granite City port, the Cahokia general airport, and at the time of its acquisition, public transit), stepping in where needed to promote the economic growth of the area, but certainly avoiding any suggestion of a regional government. The first requirement of such government, the power to tax, was never believed in and never asked for; Bi-State was not to add to the tax burden. It saw itself as a business manager of public facilities, not as a public institution operating from a political base.

St. Louis Metropolitan Area Task Force

George Romney, then Secretary of HUD, held meetings in four cities (Boston, Detroit, St. Louis, and Wilmington) from March to May, 1972, to discuss with local public officials and business leaders alternative forms of metropolitan government. Labeled as TOP (The Option Process), the effort in St. Louis produced a 40-member task force, consisting principally of elected officials from the two states appointed by the Governors of Illinois and Missouri. The Chairman of the Task Force is the Supervisor of St. Louis County who is also the Vice President of East-West Gateway. Bi-State was represented on the Task Force by two of its newly appointed Missouri Commissioners.

A consultant was retained and his proposal calling for an umbrella organization was submitted to the Task Force on July 13, 1973 (Murphy, 1973). This proposal called for the formation of a regional body to be called SLACOG (St. Louis Area Council of Governments) with a board of 26 members, derived as follows:

	Missouri	Illinois
County and city elected officials	11	10
President of Southwestern Illinois Metropolitan Planning Commission	-	1
Public members appointed by Governors	1	1
Public members appointed by the Regional Forum	1	1
Total	13	13

Thus, the report opted to risk the one-man one-vote objections from the Missouri side, in favor of assuring the continued participation by the Illinois sector. However, this problem was neutralized to some extent by providing, in effect, that the state putting up the greater share of local funds could receive proportionately more federal funds for one-state projects.

Non-voting members recommended for Board membership were: the Chairman of the Bi-State Development Agency, the Chairman of the federal regional councils in Kansas City and Chicago, and the Director of the St. Louis Regional Commerce and Growth Association.

By reference to the recommendations of a federal report, the consultant proposed that "all single purpose, multi-jurisdictional, areawide programs should be under the control of an umbrella multi-jurisdictional organization whose policy board is composed of elected officials of general purpose units of local government. This umbrella multi-jurisdictional organization should be given many workable options, such as establishing advisory committees for recommending policy for the single purpose multi-jurisdictional programs (Murphy, 1973, p. 25). Presumably, therefore, the merged agencies would appear as advisory committees within the umbrella organization.

The question of whether Bi-State or East-West Gateway should be the "focal point of the umbrella" was unanswered. In polling 17 organizations about the proposed body, Bi-State "indicated an affirmative response, but added that it has the legal framework to be the umbrella. The EWGCC staff response was that EWGCC and Bi-State should be the focal point of the umbrella" (Murphy, 1973, p. 20). The dilemma was posed thus:

> The question of merger with Bi-State Development Agency seems too complex at the moment. The agency's financial, public image, and managerial problems suggest that any attempt to develop a merger now would delay, and perhaps kill, the other steps which seem feasible to create a reasonably strong umbrella agency.
>
> It should be recognized with regard to the Bi-State Development Agency and the EWGCC that Bi-State has effective legislative authority but is operated by a board of directors appointed by the two governors. EWGCC is controlled primarily by elected officials of general purpose governments in the St. Louis Area. This means that EWGCC has more political accountability and is more representative of the area but Bi-State has legislative authority to operate and function. With proper authority, EWGCC would have more power to implement its plans than Bi-State has had (Murphy, 1973, p. 23).

Basic local financing was to be derived from per capita assessments against the participating local governments, equally matched by the state. County payments were to be reduced by the amount local governments in that county contributed. For SLACOG programs affecting governments of only one of the two states, the participating government would be required to provide additional funds which, again, would be matched by the state. This latter provision is apparently intended to get at the problem that COG's often face of dissipating regional staff resources by having to respond to numerous requests from member cities and counties for local projects.

The Task Force met September 25, 1973, reviewed the consultant's report, and made a few minor changes in the recommendations. The Task Force members preferred to set up categories of board members (such as 11 elected officials and 3 lay members) and decide among themselves the local government sources for the elected officials rather than being held to a specific formula of sources. The Missouri side opted, for example, to eliminate representation from Florissant and University City (which were the only municipalities to be directly represented) and to establish a system whereby all cities under 10,000 population would have one representative and all cities over 10,000 (except St. Louis) would also have one representative (Roos, 1973, p. 6). The Illinois members of the Task Force was to have submitted its designation of the composition of the Illinois membership on October 25, 1973.

The enabling legislation recommended by the Task Force would be identical in certain sections to the provisions of the Bi-State Compact, except for inserting the name SLACOG for Bi-State and adding the functions of housing, health, manpower, air quality, and law enforcement to the list of those currently included in the statute. As soon as the information board composition is received from the Illinois membership, the Chairman of the Task Force will forward the recommendations "to the Governors of Missouri and Illinois and to the legislative leadership of both states for their information" (Roos, 1973, letter of transmittal). Legislation is currently being drafted in Jefferson City and Springfield for introduction at the 1974 sessions. There is no reference in the memorandum to that part of the process involving the official sanction by East-West Gateway and Bi-State of the report. There will be significant changes in membership of both organizations and it is expected that the boards of these organizations will take action on whether or not to endorse the proposed umbrella organizations.

The TOP's legislation failed in Michigan. There is little reason to believe that this far-reaching proposal will be successful in Missouri and Illinois. Some state delegates are very hostile to it; the League of Municipalities of St. Louis County has gone on record as opposed to it. St. Louis interests will continue to raise the issue of underrepresentation on the SLACOG's board. There is evidence from other COG's that its members prefer for them to continue as they are: advisory bodies with no taxing power. The reasons for rejection of the proposal in St. Louis are far more overwhelming than those for its acceptance at this point in time in the evolution of regional governments in this country.

Conclusion

It is difficult to make a case for the Bi-State Development Agency as an evolutionary form of metropolitan governance. Its organic document and later amendments gave it a broad grant of planning and operating powers in several functional areas. Its geographical jurisdiction was regional. Yet it never realized its potential as the St. Louis regional body for its authorized functions. It is now only one of many regional and quasi-regional bodies operating within the functional areas of ports, mass transit, and airports.

Bi-State was never able to achieve financial viability. It did not have the taxing powers which could give it the financial elbow room to develop programs and constituencies. Its administrative budget was funded by overhead charges made against the user-supported enterprises and there were not enough of these to provide adequate funds for planning and development because of defective provisions in the Compact relative to revenue bonds. These deficiencies until corrected by amendments ten years later, and differing local circumstances prevented Bi-State from accumulating enough enterprises to fund an adequate central staff, in the fashion of the New York Port Authority after which Bi-State was modeled.

Financial power aside, one is struck by what appears to be an intent by its governing body to keep Bi-State out of the public domain. The intent at its inception and today is that Bi-State is to operate "residually"; it would take on only those enterprises which could not be located in an existing agency. Its major public enterprise, public transit, was assumed with great reluctance. Bi-State was formed to construct public facilities needed to revive the growth of business and industry and thus improve the general economic position of St. Louis. It was not seen as an effort to reform local government in order to meet problems of political fragmentation and disparity of service.

Operating in this mode produced managerial, but not political, expertise. Consequently, today Bi-State has few, if any, political resources. Certainly, what political support there is for regional government resides now in the East-West Gateway Coordinating Council. Bi-State's success in acquiring local tax funds for the transit system resulted not so much from community acceptance, as from the need to avoid the complete breakdown of a vital public service. Such funds were obtained only at a high price to Bi-State: the termination of the five Missouri members of the Board, and the surrender of the rapid transit planning function to East-West Gateway.

Although "The Option Process" proposal for an umbrella organization will probably not be accepted in St. Louis, it is significant that EWGCC has been at the forefront of developing this proposal. Should it be accepted, EWGCC undoubtedly will be the focal point of the umbrella. If the idea is rejected, one must conclude that whatever further evolution of metropolitan government occurs in St. Louis will come out of EWGCC, rather than Bi-State.

SECTION VII

ANNEXATION: SAN ANTONIO, TEXAS

Introduction and History

Annexation is the basic tool made available to the city by statute for extending a single governmental unit over the urbanizing territory outside the city. Virtually every compilation of possible "solutions" to the "metropolitan problem" in recent years has included annexation as one major possibility. For example, Roscoe Martin listed it as ninth on a scale of sixteen, and Thomas P. Murphy listed it as eleventh on a similar scale (Martin, 1963; Murphy, 1970). Yet, though it is mentioned as possible, most authorities dismiss annexation immediately and concentrate on metropolitan federation or city-county consolidation or special districts as more promising solutions.

It is not clear why annexation is so summarily rejected by the metropolitan reform literature, but apparently some basic philosophical assumptions of reform may underlie the rejection (Keys, 1973). There is also a pragmatic objection that annexation won't work, although it is not clear why it would be easier to persuade legislatures and voters of metropolitan regions that consolidation or federation should be ad[illegible]ed than to persuade them that an old, familiar tool such as annexation could be strengthened and used. Obviously annexation can no longer be used to extend the boundaries of New York City or Boston or St. Louis or San Francisco or Minneapolis-St. Paul, all of which are now surrounded by other incorporated municipalities. But most of the 264 SMSAs recognized by the Department of Commerce at the end of 1972 do not have a central city completely surrounded by other municipalities. Thus, for most of our SMSA's, annexation is still a potentially useful tool in preventing fragmentation.

The two most frequently noted flaws of annexation have been the unwillingness of city governments to make use of it to extend their boundaries, and the requirement in most states that residents of the area proposed for annexation must give their consent before the annexation can be carried out.

Several states have permitted cities to annex adjacent territory without the consent of the residents, either through general permissive legislation or through legislation permitting home rule charter cities to establish their own annexation procedures, which can include annexation by a simple majority vote of the city council. Among the states that permit annexation without consent of the residents by some city councils are Texas, Oklahoma, Kansas, and Missouri. As a result Houston and other cities in Texas, Oklahoma City in Oklahoma, and Kansas City in Missouri have expanded their boundaries so that their area compares favorably with that of the prominent examples of consolidation or federation.

For example, two "free annexation" cities, Oklahoma City and Houston, were among the three cities with the largest area in the United States, (the other city being Los Angeles) up until the Nashville-Davidson County and Jacksonville-Duvall County consolidations extended the areas of those "cities." As of 1970, the ranking was Jacksonville, 766 sq mi, Oklahoma City, 648 sq mi, Nashville, 508 sq mi, Los Angeles, 464 sq mi, and Houston, 434 sq mi. The top ten cities in area in 1970 also included Dallas and Kansas City, both "free annexation" cities. This indicates that annexation can be used to encompass territory that approximates the size of other metropolitan reform government areas, and this is underlined by the fact that Metropolitan Toronto has an area of only 241 sq mi, and New York City has an area of 300 sq mi.

Thus, annexation in some cases makes it possible to extend the governmental jurisdiction of one city to virtually the entire metropolitan area. The end result would be a unified, general purpose metropolitan-wide municipality, i.e., a single metropolitan wide government, which appears to be the objective of metropolitan reform. However, if the metropolitan-wide city still has most of the problems of the fragmented metropolitan area, the effectiveness of metropolitan reform is called into question. Thus, a case study of a metropolitan area in which annexation has been used extensively is of considerable interest.

San Antonio, Texas, is among the 20 largest cities in the United States in both population and in area, with 184 sq mi in 1970 and 247 sq mi in 1973. It ranks fourth among all large (over 500,000 population) metropolitan areas in the United States in the percentage of population living within the central city (76%). The percentage of the population of the urbanized area living within the central city in 1970 is even higher (85%). San Antonio has been the most successful of all the large "free annexation" cities in keeping the bulk of the urban population as residents of the central city. The 1970 population of San Antonio was 654,000, making it the thirteenth largest city in the United States.

The beginnings of the city go back to 1718 when the mission of San Antonio de Valero (later called the Alamo), was established along with a presidio called San Antonio de Bexar. Civil settlement began in 1731 when a party of 56 colonists arrived. San Antonio quickly grew into the largest city in Texas, a ranking it retained until the 1920's. The rapid growth of Houston and Dallas enabled them to pass San Antonio, so that for the past several decades San Antonio has ranked as the third largest city in Texas. Nevertheless, it has grown rapidly in recent decades, with over a 60% increase in population between 1950 and 1970. Given the generally slow rate of growth of large central cities in recent decades, this is a remarkable increase and San Antonio ranks among the ten fastest growing large central cities (over 500,000 population). A sizeable portion of the population increase (14,000 out of 51,000 increase from 1960 to 1970) occurred in areas annexed to the city between those two census dates. Between 1950 and 1960, 139,000 out of 179,000 increase in population occurred in areas annexed to the city between the two censuses.

Despite this impressive growth rate, San Antonio in the decade of the 1960's dropped back a bit in the proportion of the population of Bexar county within the city limits. In 1960, 90% of the population of the county lived in San Antonio, while in 1970 about 79% of the county population lived in the city. This seems to indicate that annexation was less effective, and perhaps used somewhat less, in the 1960's than in prior decades.

The San Antonio SMSA has a population of 860,000 and consists of Bexar and Guadalupe counties. Within the SMSA are 23 municipalities, 20 school districts, and 16 other special districts. In addition to San Antonio, 19 of the municipalities are in Bexar county. Only four of them were incorporated before 1950; eight were incorporated in the 1950's, and seven in the 1960's (League of Women Voters of San Antonio, Texas, 1971, p. 13). This also suggests that annexation has been becoming relatively less effective in recent decades.

Aside from San Antonio, the largest municipality in the SMSA is Seguin, the county seat of Guadalupe county, with 15,934 population in 1970. Within Bexar county there are municipalities of 7,600, 6,900, 5,300 and 5,200, with all the others being under 2,500 population. There are also some sizeable federal installations outside the jurisdiction of San Antonio: Lackland, 19,100; Ft. Sam Houston, 10,500; and Randolph, 5,300. About 35,000 people live in the remaining unincorporated areas of the two counties. Thus, the SMSA consists of a very large central city, and a relatively small number of small municipalities, and a relatively small proportion of the population living in unincorporated areas (and half of these living on or immediately adjacent to major federal military installations). The 20 school districts and 16 other special districts are not an excessive number for an SMSA of 860,000 people.

The economy of the San Antonio SMSA differs from the national economy, and from that of other major cities in Texas, in that a high proportion of employees in non-agricultural occupations are employed by government (29.4% for the SMSA vs. 17.8% nationwide in 1970), reflecting the presence of federal installations at Kelley, Lackland, and Randolph fields and Ft. Sam Houston. Conversely, a smaller proportion of employment is in manufacturing industries (13.3% for the SMSA vs. 27.4% nationally in 1970).

Local observers rate the homebuilding industry as one of the major employers in the area, with economic effects second only to those of the federal government, in part because San Antonio is a favorite retirement community for military people. The economic importance of the building industry is reflected in its political strength and influence, which will be noted later in relation to specific issues related to environmental protection.

Per capita income in the SMSA was below the national average in 1969, being $3,028 compared with the national average of $3,688, and with $4,052 in Dallas, $3,520 in Ft. Worth, and $3,674 in Houston. In 1969, median family income was $7,734, compared with $8,490 for Texas and $9,433 for the nation. In the same year, the unemployment rate was 3.6% for the SMSA compared with 3.7% for Texas and 5.7% for the nation. Black citizens were 6.9% of the population in 1970 and made up 10.9% of the unemployed in 1972. Citizens with Spanish surnames were 44.5% of the population in 1970 and made up 47.2% of the unemployed in 1972.

Leadership groups in San Antonio are concerned about the relatively lower income level of area citizens, and continued economic development is one of their major goals. In addition, relatively low incomes means a lower level of resources

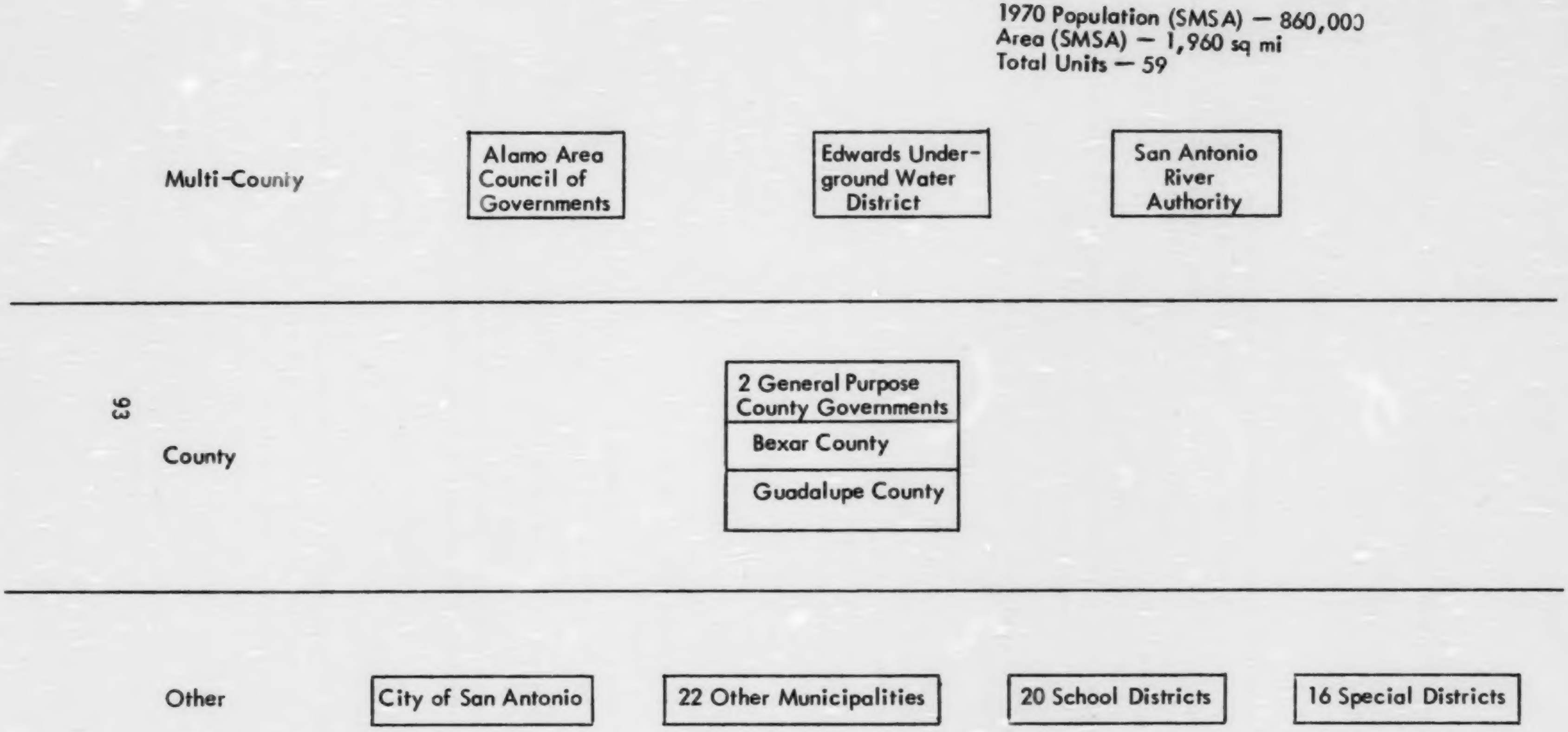

1970 Population (SMSA) — 860,000
Area (SMSA) — 1,960 sq mi
Total Units — 59
Multi-County
Alamo Area Council of Governments
Edwards Underground Water District
San Antonio River Authority
County
2 General Purpose County Governments
Bexar County
Guadalupe County
Other
City of San Antonio
22 Other Municipalities
20 School Districts
16 Special Districts

Fig. 13. Governmental Characteristics — San Antonio, Texas, SMSA

available to city government because efforts are made to avoid an undue tax burden.

Annexation in Texas

A home rule provision was added to the Texas constitution in 1912. It provided that any city of over 5,000 population might frame its own charter, and include in it anything they wished not inconsistent with the Constitution and general laws (MacCorkle & Smith, 1968, p. 298). Under this provision and subsequent enabling legislation, home rule cities in Texas can define their municipal boundaries and provide for changing them. Thus, they can determine their own annexation procedure, and many of them have opted for annexation by a majority vote of the city council. The Texas courts have ruled that cities are free in their methods of annexation (National League of Cities, 1966, pp. 291-301). At least 75 home rule cities, including San Antonio, have written into their charters procedures for unilateral annexation by the city governing body.

Because some problems had arisen as a result of these liberal annexation provisions, a 1963 Texas statute placed some limitations on the freedom. The statute provides that annexation may take place only within the extraterritorial jurisdiction of the city, which varies from one-half to five miles, depending on the population of the city. In the case of San Antonio, the jurisdiction is five miles, and so annexations may take in any territory within that five mile limit. Another provision of the statute is that a municipality may annex each year not more than 10% of the total land area of the city as of January 1 of the year of annexation, but if the city fails to use this allocation, the unused allocation may be carried over to subsequent years up to a maximum of 30% of the total land area of the city (MacCorkle & Smith, 1968, p. 323).

The statute also requires the annexing city to provide within three years a level of municipal services comparable to other areas of the city, or the residents of an area may petition for disannexation. This provision would prevent a city from annexing territory in which it had no immediate plans for providing city services. After one year, the city may reannex the disannexed territory, provided it is still unincorporated, but the city must then provide the required services within one year (MacCorkle & Smith, 1968, p. 324).

Spoke Annexations

The annexation laws permit the city to annex any adjacent territory it wishes, so long as it is prepared to provide the necessary services. Many Texas cities, including San Antonio, have undertaken "spoke" annexations, so called because they resemble spokes of a wheel sticking out from the city. In this type of annexation, the city annexes the right of way of the major highways extending out from the city for a distance of several miles from the existing city boundary. The basic purpose is to enable the city to apply its extraterritorial controls for a distance further than that to which such controls normally extend without the spoke. With spoke annexation, the extraterritorial jurisdiction extends five miles out from the top of the spoke, and thus is a useful type of control over strip development along major highways extending out from the city. For example, if the spoke extends out three miles from the regular city boundary, the extraterritorial jurisdiction extends five plus three or eight miles from the regular city boundary at the point where it is joined by the spoke.

During the 1973 legislative session, there was consideration of possible legislation to abolish existing spoke annexations and to prohibit them in the future, based apparently on dissatisfaction with the way spoke annexations had been used by the city of Houston. Then it was discovered that this legislation would wipe out a spoke-flag annexation in the San Antonio area that extended out around the site of the new campus for the University of Texas at San Antonio, where the state wanted the annexation to exist so that land use around the new campus could be controlled. So action on spoke annexations was deferred, but the City of San Antonio got the message that the legislature didn't want more of them, and is probably going to go slow on making additional spoke annexations.

San Antonio adopted its first home rule charter in 1914, and the charter provisions for annexation have remained unchanged since that time. Annexation is by a majority vote of the city council. Over the years, San Antonio has made considerable use of its annexation powers.

Local Government Structure and Functions

The 1914 Charter established a Commission form of government that continued until 1952, but in later years dissatisfaction with this form of government grew. New charters were written in 1940 and 1949 and were rejected by the voters. In 1952 the voters adopted the present charter, which established a council-manager type of government, with a council elected at large by "positions," so that an individual candidate may specify the council seat or "position" for which he is running. One member of the council is designated by the council as mayor.

Since 1952, San Antonio has had many of the usual experiences of large cities with the council-manager form of government. The first three or four years brought opposition from those who preferred the commission form and these were difficult years for the city manager system. In 1955 a citizen's group called the Good Government League was formed to sponsor candidates for the city council and encourage the development of the city manager system. A majority of GGL-supported candidates were elected to the council that year, and a new manager with considerable experience in other cities was appointed.

Candidates supported by the Good Government League continued to win a majority of the city council posts up until 1973. The problems were changing, and, as in other cities, solutions were more difficult than in earlier days when the major problems were how to get the money to build needed facilities. Differences arose between GGL-supported candidates, and some of them broke away to run as independents or as informal "slates." In 1973 the voters elected a non-GGL mayor

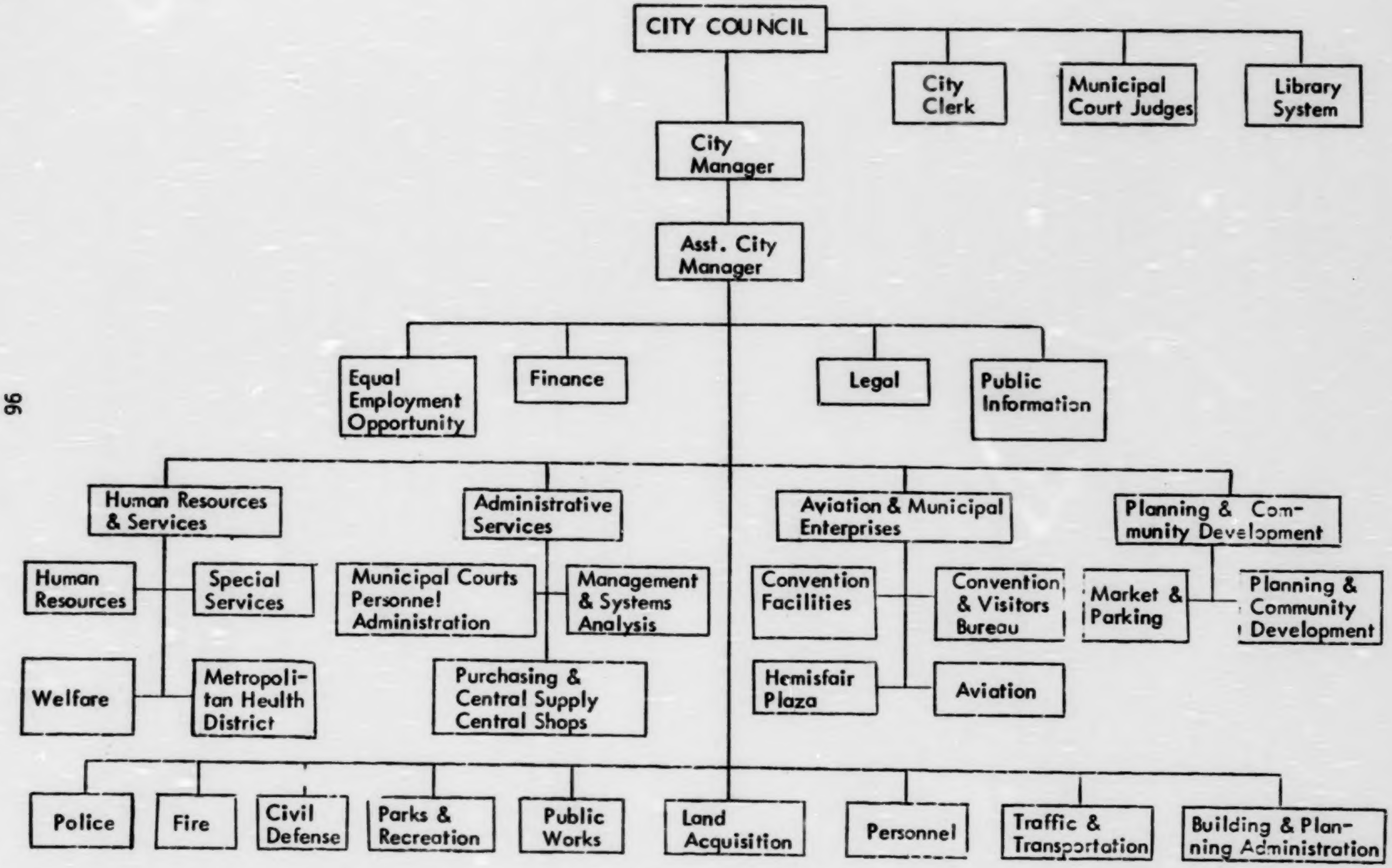

CITY COUNCIL
City Clerk
Municipal Court Judges
Library System
City Manager
Asst. City Manager
Equal Employment Opportunity
Finance
Legal
Public Information
Human Resources & Services
Human Resources
Special Services
Welfare
Metropolitan Health District
Administrative Services
Municipal Courts Personnel Administration
Management & Systems Analysis
Purchasing & Central Supply Central Shops
Aviation & Municipal Enterprises
Convention Facilities
Convention & Visitors Bureau
Hemisfair Plaza
Aviation
Planning & Community Development
Market & Parking
Planning & Community Development
Police
Fire
Civil Defense
Parks & Recreation
Public Works
Land Acquisition
Personnel
Traffic & Transportation
Building & Planning Administration

Fig. 14. Organization and Functions — City of San Antonio

and a non-GGL majority for the city council.

Governmental organization is typical of the manager council plan, with a city manager, an assistant city manager, and 17 major departments. An unusual feature of the city government is that the city owns gas and electric utilities and supplies utility services to five smaller incorporated areas surrounded by the city, as well as adjacent military establishments. The utilities are operated by a City Public Service Board appointed by the city council, plus the mayor who is a member ex-officio.

Water and sewage services are divided between the city and a number of other special districts. The city sanitary sewer system is operated by the Public Works department. Water supply for most of the city comes from a separate City Water Board. The Board is managed by four trustees appointed by the city council for eight year terms, plus the mayor who is a member ex-officio. The Board appoints the general manager and is empowered to make rules and regulations governing the activities of its employees in supplying water to city residents. The Board also supplies water to a few smaller municipalities, and by individual contract to residents of some other suburban municipalities. The Board also operates a central heating and cooling plant that supplies steam and chilled water to the Hemisfair Plaza, the Convention Center, and the adjacent business district.

As noted earlier, there are 16 special districts in Bexar county that are concerned in some way with the management of water. Most of them are engaged in supplying water to customers, usually having boundaries coterminous with a suburban municipality.

Three of the districts are large, and have special purposes of importance to a larger area: the Bexar Metropolitan Water District, the Edwards Underground Water District, and The San Antonio River Authority.

The Bexar Metropolitan Water District was created in 1945 by a special act of the Texas legislature. The District bought up three private water companies, which it now operates. Although the District has limited its services to supplying water, and confined its operations to about 20% of its territory, it is a multipurpose conservation district which includes in its jurisdiction all of the area of San Antonio as of 1945 and some additional area. Its jurisdiction overlaps that of the City Water Board and the San Antonio River Authority. The main service offered by the District is the provision of water to some 25,000 customers, representing a population of about 85,000 to 95,000 principally in southwest San Antonio and adjacent areas. The District is governed by a five member Board of Directors elected by the voters of the District (League of Women Voters of San Antonio, 1971, p. 88).

In addition to the special districts, there are about 30 private water companies operating in Bexar county, plus an estimated 2,000 private wells in San Antonio and 10,000 in the rest of the county.

In 1971 the legislature authorized the establishment of a new kind of special district, a municipal utility district, as a means of providing water and sewer utility services to developing areas that were either at a distance from urban areas or where the nearby cities could not supply the necessary water and sewer services. The district can be established by petitioning the Texas State Water Rights Board, and when established by the Board the MUDs have taxing and bonding powers and power to annex non-contiguous as well as contiguous territory. Developers have used this new type of district to provide services to new developments. In the San Antonio SMSA and elsewhere in the state, cities and counties have raised objections to the way in which the municipal utility districts are established and operated without many of the usual restrictions placed on local governments. It seems likely that the state legislature will be amending the legislation, but meanwhile some fifteen to twenty districts are in operation in the San Antonio SMSA providing water or sewer services to their residents.

The water supply of about one million people including the 860,000 in the San Antonio metropolitan area, comes from the Edwards Underground Reservoir, an underground reservoir in the limestone formations underlying the Edwards Plateau. The reservoir is about 175 miles long, from 5 to 30 miles wide, and extends across the counties of Uvalde, Medina, Bexar, Comal, and Hays. In 1969 the Texas legislature created the Edwards Underground Water District for the purpose of protecting and conserving this vital water resource. The district consists of all of Uvalde County, most of Medina and Bexar counties, and a small part of Comal and Hays counties. Three directors from each county area make up the fifteen man board of directors. The Board members are elected by the voters of each county, serve six year terms, and are non-salaried. The Board selects an Engineer-Manager who is in charge of the work of the District. The District is financed by a 2-cent ad valorem tax from each county area in the District. (League of Women Voters of San Antonio, 1971, pp. 80-81).

The district engages in data gathering and education programs, and publishes annual bulletins on water quality, recharge and discharge of the reservoir. The purpose of the district is the protection of the reservoir, and it cooperates with other agencies in implementing the applicable portion of the State Water Plan of the Texas Water Development Board.

The San Antonio River Authority was created by the Texas legislature in 1937, as a conservation and reclamation district consisting of the counties of Bexar, Wilson, Karnes, and Goliad.

The Authority is governed by a 12 member board, elected for six year terms. Goliad, Karens, and Wilson counties each elect two members and Bexar county elects six members. The Board appoints a director, and makes policy. The Authority has a staff of about 50 and an annual budget of over $2 million (League of Women Voters of San Antonio, 1971, p. 85).

The primary purposes of the Authority are stream improvement and channel construction, and the Authority has constructed and operates a number of flood control structures in the four counties. The major project is the San Antonio Channel Improvement Project in the City of San Antonio, a 37 million dollar flood control project. The Authority is cooperating with the U S Corps of Engineers in studying the feasibility of a barge canal project that would link San Antonio with the

Intracostal Canal and the Gulf of Mexico. The Authority also operates parks and recreation projects on the river.

The Authority has established a basin-wide stream quality standards plan, by which the quality of effluent being discharged by the waste treatment plants in the San Antonio River Basin is regulated. It operates a water quality laboratory near Converse in Bexar county, and has developed basin stream quality records.

The Authority built and operates two sewage treatment plants in eastern Bexar county, as part of the development of a waste treatment system for the Upper Cibolo Creek watershed. It operates two treatment plants by contract for Bexar County Water Control and Improvement District No. 16, and one for the City of Kirby.

The Authority is also authorized by the legislature to carry out flood plain management projects and solid waste disposal projects with the Basin.

The Alamo Area Council of Governments

One other regional body that undertakes activities involving environmental protection problems is the Alamo Area Council of Governments. The council is similar to other COGs in that it is a voluntary association of local units of government, but it is also designated by the state as a regional planning body. Texas has provided funds for its regional planning agencies, and the Governor's office has provided direction and support for them, so that the state government is more actively involved in the COG movement in Texas than is true in many other states.

The AACOG planning region covers eleven counties, but only five of these counties have joined the voluntary council. Cities from two non-member counties have joined the council, so some portions of seven counties are members. Twenty cities, including San Antonio, are council members. In addition, nine school districts, six Soil and Water conservation districts, and seven special districts are members of the council. Among the special districts that are members are the San Antonio River Authority, the Edwards Underground Water District, the San Antonio City Water Board, and the Bexar Metropolitan Water District.

Membership on the Executive Committee consists of two members from San Antonio, two from Bexar County, one from each other member county, one member for each six cities other than San Antonio (up to a maximum of three), one representatives for the school districts, and one representative for the special districts.

The Council is the A-95 review agency for the federal government, and engages in other planning activities, including work in the areas of social planning, law enforcement, health, and water quality.

To sum up, the governmental picture consists of one large city containing most of the urban population of the metropolitan area, some 20 smaller cities, some 20 school districts, some 15 small special districts, plus 2 multi-county special districts and a 11 county council of governments.

For environmental control purposes, the city can exercise controls up to five miles beyond the city limits. Beyond that limit, the counties and the multi-county agencies are active, and in addition the Texas Water Quality Control Board sets the standards for water quality and exercises some controls.

Experience of San Antonio with Annexation

The original city limits of San Antonio were established in 1838 and included 36 square miles, which included a considerable amount of rural land. In 1930, San Antonio still had an area of 36 sq mi, and had a population of 232,000. The first annexation came in 1940, when 4.3 sq mi were added. Table 8 shows the total area annexed each year from 1940 through 1972. The first major annexation came in 1944, when 19.9 sq mi were annexed. Smaller annexations continued in the post-war period. In 1950 the total area was 72.3 sq mi, an increase of 55% since 1940. The 1950 population was 408,000, up 62% from 1940.

After the adoption of the city manager form of government in 1952, the first city manager proposed a major annexation to try to keep up with urban growth, and in that year the city annexed 79.9 sq mi, more than doubling its area. Within the area taken in were the residences of some wealthy Texans who had not wanted to be annexed, and they financed a slate of candidates to oppose the incumbent city officials in the 1953 election. All of the incumbents who ran for re-election were defeated, and the incumbent city manager departed. As was mentioned earlier, this defeat led to the establishment of the Good Government League to sponsor candidates in the 1955 election, and for the next 18 years candidates supported by the GGL comprised a majority of the city council.

However, the experience of 1952 and 1953 made subsequent city councils wary about major annexations. Between 1952 and 1960 an additional 6 sq mi were annexed, bringing the total area to 161 sq mi.

Up until the 1963 Texas Annexation law, it was apparently common practice in Texas for cities to use the first reading on an annexation ordinance as a means of extending city control over adjacent areas, and San Antonio made occasional use of this practice.

The 1963 annexation law appears to have had less effect on San Antonio annexation practices than did the 1953 election results. At no time from 1963 to 1972 did San Antonio approach the 10% per year limit imposed by the 1963 law. From 1964 through 1970, the annual annexation rate was under 1% for four of the years, and no higher than 5% in any year. The city council in the 1960's talked about developing a positive annexation policy, but no one pushed very hard for it, and the city continued to annex only when residents or landowners outside the city requested to be annexed.

In 1971 and 1972, in part because the then mayor was concerned about annexation, the council moved more aggressively. In 1971, 13.7 sq mi were annexed, about 7% of the existing area of the city. In 1972, the council proposed a much

Table 8

Total Area Annexed Annually, City of San Antonio, Texas, 1837-1971

Year	Sq Mi Annexed	Total Sq Mi
1837 Incorporated		
1838 city limits established 5-25-38		36.0000
1940	04.2829	40.2829
1941	00.0265	40.3094
1942	00.0114	40.3208
1943	00.0000	40.3208
1944	19.8930	60.2140
1945	04.7482	64.9622
1946	00.2780	65.2402
1947	03.2204	68.4606
1948	00.2618	68.7220
1949	01.3896	70.1120
1950	02.3390	72.4510
1951	02.3618	74.8128
1952	79.8982	154.7110
1953	00.0000	154.7110
1954	00.3125	155.0235
1955	00.0174	155.0409
1956	00.1763	155.2172
1957	05.5800	160.7972
1958	00.0028	160.8000
1959	00.1920	160.9920
1960	00.0000	160.9920
1961	00.0146	161.0066
1962	00.1167	161.1233
1963	02.5265	163.6498
1964	08.7385	172.3883
1965	04.4300	176.8183
1966	05.3022	182.1205
1967	00.4490	182.5695
1968	00.7435	183.3130
1969	00.4987	183.8117
1970	00.3334	184.1451
1971	13.7517	197.8968
1972	53.2534	251.1502

Source: San Antonio Planning Department.

larger annexation, intending to take in the full 30% allowed by the 1963 law for one year, including permitting carryover from previous years. The first proposal by the city staff contained about 70 sq mi for annexation, but lawyers for developers who didn't want their land to be annexed pointed out some unsettled legal questions on which litigation could develop, so the proposed area was reduced. In December, 1972, the council annexed slightly over 50 sq mi, which was about 24% of the previous land area. As of January 1, 1973 the area of San Antonio was 251 sq mi, so it is now larger than Metropolitan Toronto.

The present mayor and council, elected in 1973, are inclined to go more slowly on annexation, but they are again discussing the possibility of a positive program of annexation designed to keep up with urban growth. The problem is essentially a political one in that some developers and some residents of developments outside the city do not want to be annexed, and as was pointed out earlier, home builders and developers are a potent political force in San Antonio. There is also the problem of the technical and financial ability of the city to provide city services to substantial new annexations each year, which the council also needs to consider. Meanwhile, the policy seems to be to annex only territory in which residents or landowners request annexation, plus such additional territory as is needed to "square out" the boundaries so they will be clearly identifiable for city personnel providing services to the area.

One way of partially measuring the effect of annexation is to compare the population per square mile for each recent decennial census year.

Year	Density
1930	6,450
1940	6,350
1950	5,660
1960	3,960
1970	4,410

It can be seen that San Antonio has maintained a fairly high urban density despite the annexations, but the annexation of new suburban development has helped to decrease the density per square mile.

Another measure of the effect of annexation is the proportion of the urban or metropolitan population within the city limits of the central city. By this measure, San Antonio has done well: the percentage of the population of the urbanized area in San Antonio was 84.7 in 1970, 91.5 in 1960, and 90.9 in 1950. In 1950 and 1960 this was the highest percentage for any urbanized area of over 500,000 population, and it was the third highest such percentage in 1970.

The percentage of the metropolitan area population within the city limits of San Antonio runs somewhat lower, but nevertheless has been much higher over these past decades than in most other metropolitan areas of comparable size. In 1970 the percentage was 75.7, in 1960 it was 85.5, and in 1950 it was 81.6. In 1950 and 1960 this was the highest for any SMSA of over 500,000 population and in 1970 it was the third highest.

By all these measures, San Antonio has made more effective use of its annexation powers than have the other large cities that have similar powers of annexation. For example, in 1970 Dallas contained 55% of the population of its SMSA and had a population density of 3,320 per sq mi, and Houston contained 62% of the population of its SMSA and had a population density of 3,840.

Thus it appears that by the use of annexation San Antonio has managed to keep up with the urban growth better than most other large cities in the period since 1940 (during which San Antonio's population has nearly tripled). While there are some small suburban municipalities, the largest of them has less than 5% of the total population, and less than 5% of the population lives outside the boundaries of any municipality. With about 80% of the population of the metropolitan area, and 90% of the population of the urbanized areas, San Antonio does not suffer from being surrounded by suburbs, nor have many of the urban residents managed to flee from the jurisdiction of the central city.

But annexation has lagged behind urban growth, and the city has proceeded most of the time on the basis of annexing only those territories whose owners asked to be annexed. The two major exceptions are the 1952 annexation, which had severe political consequences, and the 1972 annexation, whose consequences are yet to be fully assessed.

The city has yet to work out a comprehensive policy toward future urban growth, although some council members are talking in terms of the need for such a policy. Several recent controversies are a part of the dialogue over growth policies in the community. For example, there has been controversy between the city and the developers and homebuilders over how water should be supplied to new developments, who should set the standards for installation of water lines, and who should pay for the approach mains. The financial ability of the City Water Board to provide water to all proposed subdivisions is a part of the problem. The city council in 1972 designated the City Water Board as the exclusive supplier of water in the Extra Territorial Jurisdiction, and a new council reversed the policy the next year. The dialogue and controversies continue, and some of them will be described in the next section on pollution control activities.

Pollution Control Activities in the San Antonio Area

As was noted in describing governmental structures in the San Antonio metropolitan area, responsibility for pollution control activities are divided among a number of agencies, as is the case in many other metropolitan areas. The city of San Antonio is of primary importance in pollution control in the area. The other major control agencies are state agencies such as the Texas Water Quality Control Board, the Texas Water Rights Board, the Texas Air Quality Control Board, and the State Board of Health.

San Antonio is one of the few major metropolitan areas of the country that has apparently unlimited water supply from an underground source, the Edwards aquifer. Until recent years, pollution of the aquifer has not been a problem because urban development intruded only on the southern edge of the aquifer and it was possible for sewer systems to drain away from the aquiver. However, development has been edging onto the aquifer and was given a substantial boost when the state decided to locate the campus of the University of Texas - San Antonio some miles to the northwest of the city, on the aquifer, thus inviting considerable urban growth out toward and around the new campus. So far as can be determined, the state agency did not consult the city about potential pollution problems before making the location decision. Even if the campus had been located on the other side of the city, some urban development onto the aquifer would have continued, and the problem of pollution of the aquifer would have arrived anyhow in due time.

With respect to water pollution control, the most powerful regulatory agency other than the city of San Antonio is the Texas Water Quality Control Board, which is empowered to adopt water quality standards. The Board adopted water quality control standards for the area as part of a state plan in 1971. In 1972 and 1973 it held a series of hearings in the San Antonio area about proposed revisions in the quality standards. In April, 1973, the AACOG council was unable to agree on a position on the revision because of a disagreement between the city of San Antonio and other units represented in the council. The position of the city, as stated by the public works director, was that higher treatment standards for sewage effluent discharged into rivers in the Edwards aquifer recharge zone should not be adopted. The city might not provide sewer service in the recharge zone, said the director, if it was unable to meet the required standards, thus opening the way for the establishment of several independent municipal utility districts "without adequate pollution controls." The mayor pro-tem suggested that it would be better to ban all treatment plants over the aquifer rather than adopt higher treatment standards. It appears that the city was basically concerned about the costs of bringing its treatment system up to the higher standards (San Antonio Express/News, Apr. 4, 1973 and Apr. 12, 1973).

County officials from Guadelupe and Bandera counties supported higher quality standards, and were opposed to downgrading standards for the Guadelupe and Medina rivers. In these two counties there are many vacation centers and summer camps on the two streams, and economic loss would occur if the water quality were downgraded so that swimming could not be permitted (San Antonio Express/News, Apr. 15, 1973).

The Sierra Club, South Texas Group, has also registered opposition to the SWQB proposed standards for the Edwards aquifer area. The Club maintained that the rules established by the SWQB allow development to proceed in a manner which will clearly allow pollutants to enter the aquifer. The Club cited projections of over a million gallons of raw sewage per day being allowed to enter the aquifer under existing SWQB specifications (San Antonio Express/News, Apr. 21, 1973).

The Edwards Underground Water District has also sent to the SWQB some proposed revisions in Board standards applying to the aquifer area. The district suggests legislation that would authorize some agency to license contractors drilling wells over the aquifer and recharge zone; it wants the district to be authorized to locate any abandoned wells in the area, rather than relying on developers to do so, and to set standards for plugging the wells. It also suggests that the district should be authorized to prepare a standard form for all septic tank licenses to be used by all counties in the district. Finally, the district calls for agreement to use only U S Geological Survey maps to define the recharge zone, and suggests better sanitation at Garner State Park where sewage facilities are not adequate to prevent pollution of the Frio river in the recharge area (San Antonio Express/News, Apr. 19, 1973).

It appears that the City Water Board and the Bexar Metropolitan Water District, the other major supplier of water in the area, are in agreement with the position of the city public works department that effluent standards should not be set so high that they will discourage development over the aquifer by making it financially impractical.

These incidents illustrate the fact that the City of San Antonio, despite the fact that it contains a substantial majority of the residents of the metropolitan area, does not have complete authority over water pollution control activities in the area. Even more interesting is the fact that the City, both through its water agency and its sewer agency, seemed to be in the position of supporting lower water quality standards than do the regional agencies which contain a majority of representatives from surrounding rural counties. It suggests the interesting hypothesis that a single area-wide regional government might favor lower standards for pollution control than would be the case where other local units exist and have influence. It should be noted that the San Antonio position is similar to that taken by the central city in many metropolitan areas, namely that standards should not be so high that they cannot be met by existing facilities of the city without substantial additional expenditures.

During the Summer of 1973, a special task force of the AACOG on pollution of the Edwards aquifer was established, including representatives from the City and the City Water Board. The task force prepared a set of recommendations to the State Water Quality Board for a tightening of the regulations on urban development over the aquifer. The major recommendation was that stringent licensing requirements be placed on all new private sewerage systems built over the aquifer. Another recommendation is that density of settlement be limited if a pollution hazard is considered seriously possible from a planned urban development or subdivision in the recharge zone. The Edwards Underground Water District would act as coordinating agency to oversee pollution control measures affecting the underground water reservoir.

These proposed requirements move further in the direction of control over urban development than any previous group of recommendations by an intergovernmental task force. The City representatives supported the recommendations.

The proposal also, for the first time, will give some control powers to an areawide agency, the Edwards Underground Water District. If the State Board accepts the proposals, more control will be possible over the area outside the extraterritorial jurisdiction of the City of San Antonio.

Aside from the Texas Water Quality Board standards, but related to them, is a major proposed "new town" development near San Antonio. A development firm proposed to build San Antonio Ranch New Town for 88,000 persons on acreage in Bexar county northwest of San Antonio. The area of the proposed development lies mostly outside the extraterritorial jurisdiction of the city, so the city has little formal power to require changes in the proposed plans of the developers.

The development was held up by a temporary injunction and a suit for a permanent injunction against building the new town brought by Bexar county, the Sierra Club, the League of Women Voters, Citizens for a Better Environment, the American Association of University Women, (the Edwards Underground Water District, and the San Antonio River Authority). The City of San Antonio did not join in the suit. The county brought the suit because after the county refused a permit for the new town, the developers went to court and got an order directing that a permit be issued for the development. The other organizations and agencies joined in the suit because they felt a development of that size over the aquifer would permanently contaminate the underground water supply for the metropolitan area.

One point brought out by the developers in the suit was that the standards they proposed for sewer effluent were higher than the existing standards of the City of San Antonio.

The federal court dismissed the suit for a permanent injunction, and permitted the development to proceed. However, the court retained jurisdiction and directed the developer, the State Water Quality Board, HUD, and other concerned parties to file periodic reports with the court to show that the developer was meeting the standards specified in the plans (San Antonio Light, June 7, 1973).

The lawsuit is the most publicized of a number of controversies concerning sewage disposal and water supply in the San Antonio area. One major phase of the controversies concerns the Edwards aquifer, because experts disagree about when and to what extent any given development on the aquifer will pollute the water, although all agree that sooner or later continued development on the aquifer will pollute it. It appears that any considerable amount of pollution will require rather expensive treatment to make the water safe for drinking purposes. When that happens, the costs of providing water to new developments will be such that it will no longer be highly profitable to some developers to operate their own water system. It will then be necessary to turn to some public agency to provide water, and the City Water Board of San Antonio seems to be the only viable alternative.

Much of the controversy over water supply and sewage disposal policy in the metropolitan area hinges around the problem of equitable distribution of the costs of the needed facilities. This is a problem familiar in most metropolitan areas of how to divide the costs of major facilities between city residents and those who live outside the city, between residents of the city and developers, and between residents of older areas who believe they have paid for their facilities and residents of newer areas who think the costs of major facilities should be paid for by all residents of the city or the metropolitan area.

There is also the problem of finding the funds necessary to provide the facilities that the technical experts say are necessary. The City of San Antonio, like most other major cities, finds that allocating existing resources between competing uses is difficult and usually means that no one activity gets all the funds needed for that activity. And, as is the case elsewhere, the council feels that there are political limits to how high the water and sewer service charges may be raised and to the amount of bonds that may be approved for water and sewer facilities.

Thus, the major pollution control activities are the provision of water and sewer services by the city to its residents and to residents of the extraterritorial jurisdiction. The city must approve the plans of developers who propose to provide these services within the extraterritorial jurisdiction.

Outside the territorial jurisdiction, the primary power to control water pollution rests with state agencies such as the Water Quality Control Board and the Board of Health. The Board of Health, for example, has the power to issue or refuse to issue permits for septic tanks or sewage disposal systems that do not meet minimum standards for protection of public health. However, as was noted earlier, most of the controversy over water pollution is about questions that are outside the jurisdiction of the Board of Health and concern general development policy.

The San Antonio Metropolitan Health District is a city-county health department for Bexar County and the City of San Antonio. It inspects septic tank installations and small sewage treatment plants, and monitors other potential sources of water pollution. It has the usual police powers to enforce health regulations, and it has the same problems that exist in other metropolitan areas of depending on prosecuting attorneys in the court system for ultimate legal action to stop pollution. Most cases of pollution are stopped voluntarily by the polluter, so only the more difficult cases are recommended to the prosecutors for court action.

To sum up, the major actors in the control of water pollution are the City of San Antonio and the state agencies that set standards for pollution control. The problems that exist are primarily concerned with the questions of what standards are adequate for control purposes and how the costs of necessary control facilities should be divided up among various sources of payment.

Air Pollution Control Activity

Responsibility for setting air quality standards in the San Antonio area rests with the State Air Quality Control Board. The San Antonio Metropolitan Health District monitors the air quality, and shares enforcement responsibilities with the state agency when violations are detected. Presumably the District has some police powers to go beyond the standards of the State Board, but it is not clear just how far they could go, and it appears unlikely that any such action will be taken except in an emergency.

Studies of the air pollution problem have been undertaken by the local governments in the area through AACOG, but the problem has generally been considered less severe than water pollution problems. San Antonio was listed as fourth among the ten major cities of the United States with the cleanest air by EPA in 1973.

San Antonio does not have much air pollution from stationary sources, and the major users of polluting fuels are the federal installations and the city's Public Service Board. Both jurisdictions are correcting pollution problems as rapidly as funds permit.

There was considerable discussion in the San Antonio area in 1973 focused on EPA proposals to insure that the air quality in that area did not deteriorate. This was part of state-wide controversy over the kind of standards and anti-pollution measures to be included in the state plan to be submitted to EPA by the State Board. In general the Board felt that EPA proposals were more severe than what the Texas situation warranted, and the discussions by the San Antonio city council tended to support the position of the State Board.

The major source of pollution in San Antonio is the automobile, and city officials are aware that development of rapid transit is the major alternative to eventually deal with the problem unless federal controls over automobile emissions eventually make further action by the city unnecessary. The city is concerned about improving the bus system and decreasing traffic congestion in the downtown area and is developing alternative courses of action for further consideration.

Solid Waste Pollution Control Activities

At the state level, jurisdiction over solid waste pollution rests with the State Board of Health. At the local level, the Metropolitan Health District has a continuing inspection program of waste disposal sites and has jurisdiction over solid waste disposal violations by individual citizens. The City of San Antonio collects most of the solid wastes of the metropolitan area, and disposes of them at its sanitary landfill sites. So far, San Antonio seems to have encountered less than the usual amount of controversy over landfill sites. The city and the smaller jurisdictions do not anticipate any major problems in solid waste disposal over the next few years, but will eventually have the problem of increasing costs as landfill sites are located further from the centers of population.

Nuclear Pollution Control Activities

The Metropolitan Health District inspects manufacturing plants that make use of radioactive materials, under the general jurisdiction of the State Board of Health. So far, this is the only nuclear pollution control activity in the area.

Noise Pollution Control Activities

The AACOG did a study of noise pollution in the area, focusing primarily on noise pollution problems relating to aircraft at the major airports in the area, and the Metropolitan Health District has a continuing concern with noise pollution problems. San Antonio at present has a rudimentary noise pollution control ordinance which is enforced by the police department and consists basically of responding to complaints about noisy motor vehicles.

The question of noise pollution has come up in discussions about the need for and location of a possible new major airport, or of major expansion of the present airport. Similar questions have arisen about lengthening of runways at federal air force installations in the metropolitan area, and the federal government has held up on proposed expansions because of objections to the additional noise pollution for nearby residential areas.

Visual Pollution Control Activities

There is a continuing concern with problems of visual pollution in San Antonio because the travel industry is a major economic activity, and San Antonio is concerned about its image as one of the unique cities of the United States. The City does not have a visual pollution ordinance, but does have an agreement with the Paseo Del Rio Association that permits the Association to limit signs and other advertising along the River Walk portion of the downtown area.

Summary

Because of the liberal annexation powers authorized in its home rule charter, the City of San Antonio has territorial jurisdiction over the urban population of the metropolitan area that is adequate for dealing with most urban problems. The city has jurisdiction over the 251 sq mi within the city limits, and more limited jurisdiction over another 300 to 350 sq mi within its extraterritorial jurisdiction. Within this area lives more than 90% of the urban population, and it seems probable that the proportion will not change much in future decades unless the city changes its policy and annexes no further territory.

Over the past 40 years, the annexation powers have been adequate for keeping the city's boundaries in pace with urban growth. However, the political will to keep expanding the boundaries through annexation has not always prevailed in the short run against opposition from developers who did not want their developments to be annexed. And at times the city has held back from annexation because it felt it did not have the money to provide the necessary urban services in territories that were proposed for annexation. Thus, the annexation process has tended to proceed at an irregular pace, in some years taking in considerable amounts of territory, and in others taking in practically none.

For some problems related to development, such as potential pollution of the Edwards underground aquifer, liberal annexation powers alone do not provide enough territorial jurisdiction for the city to deal with the problem by itself. For these kinds of problems, the city is dependent upon adequate state action in terms of minimum standards and the enforcement of pollution controls. And San Antonio does have considerable impact on the policy of the state because city officials represent such a large proportion of the citizens of the metropolitan area, because annexation has prevented the rise of large numbers of suburbs.

Liberal annexation powers, then, present an organizational arrangement that minimizes the number of governmental organizations in the metropolitan area and concentrates a very high proportion of the population under the jurisdiction of a single general purpose government. Much can be done within this jurisdiction to control pollution if the city council has the will to do so, and if the necessary funds are available to carry out pollution control activities. Still, some pollution problems will require additional action by other jurisdictions, especially by the state pollution control agencies.

SECTION VIII

THE URBAN COUNTY: MONTGOMERY COUNTY, MARYLAND

Introduction and History

The term "urban county" has been used for many years, and by many people, without any agreement on what is meant by the term. The Advisory Commission on Intergovernmental Relations attempted to provide a standard definition: "The urban county approach to local government and metropolitan areas refers to the development of the county from its traditional position as an administrative subdivision of the state for carrying on state functions — to one in which it provides a significant number of services of a municipal character throughout all or part of its jurisdiction (Advisory Commission on Intergovernmental Relations, June, 1962, pp. 138-139).

By this definition, an urban county is essentially one that provides a significant number of urban services. It is a county government that does the things that cities normally do. That definition will be used in this report. But it should be noted that the definition leaves some unresolved problems.

For example, what is the difference between an urban county and a city? Probably none, except the name: one is called a county and the other a city, but essentially they do the same things. One difference that usually exists is that the urban county has a larger area than the average city of comparable population, but this is not always the case.

Another complication of the definition is that it is imprecise enough so that boundaries between the urban county and other "approaches" to metropolitan government are unclear. For example, does city-county consolidation result in an "urban county"? Or does the so-called "quasi-federated" approach of Metropolitan Dade County make it an urban county? In both cases, the county would fit the ACIR definition of an urban county, but most studies prefer to keep the three separate, or not use the term "urban county."

Still another problem with the definition is that it does not make a distinction between the metropolitan regional activities of an urban regional county and the day to day services of a municipal character provided by the county. This has led one authority to limit his use of the term urban county to "a second-tier government existing alongside cities and determining with its cities and the state who does what in the county as the metropolitan area" (Mogulof, 1972, pp. 7-8). Mogulof uses Metropolitan Dade County as his example of an "urban county." Using his definition, he is not concerned with the urban services provided by the county to the several hundred thousand citizens who live in the unincorporated portions of the county. Thus, the problem of defining the urban county leads Mogulof to reject the ACIR definition, and to instead use a definition of the county as a metropolitan regional county.

The problem, of course, is that counties are evolving in different ways is response to the challenge of urban expansion. This does not necessarily result in neat categories of activity or organization. Perhaps the earliest prototype of the urban county was Los Angeles County, with its mixture of cities that provided all their own municipal services, cities that provided none of their own services but use contracts with the county under the "Lakewood Plan" by which the county provides the municipal services within the city limits, cities with a mixture of these two, unincorporated areas in which urban services are provided entirely by the county, and unincorporated areas in which municipal services are not provided. That type of urban county has worked reasonably well in the Los Angeles area, but it has not been widely accepted elsewhere.

Montgomery County, Maryland, comes perhaps as close as any county to the ACIR definition in that since at least 1948 it has been providing services of a municipal character to a substantial majority of its residents. It is typical of a number of suburban counties in major metropolitan areas which have been coping with urban growth that spilled over the borders of the county containing the central city of the metropolitan area: Westchester, Suffolk, and Nassau counties around New York City, Orange County in the Los Angeles area, and Arlington, Fairfax, Prince Georges, and Baltimore counties around Washington and Baltimore. None of these counties contain the major metropolitan central city, and most of them contain no city of a size comparable to the central city.

One unresolved problem of any definition of the urban county is the overlap between the traditional services normally provided by the county in its capacity as an administrative subdivision of the state and the newer urban services. For example, in the case of law enforcement and criminal justice, the county has provided the jail-keeping, prosecuting, and adjudicating activities, and the sheriff has shared law enforcement with city police forces. These traditional activities are, if anything, more important in urban areas than in rural areas, and the county has continued to play an important role in them even where it did not undertake to provide other services of a municipal character. Other services present similar problems: for example, many counties have provided major highway systems outside and inside city limits, in conjunction with state highway departments, even though other municipal services were left to the cities. Thus, at least part of the activities of urban counties can be viewed as an extension of traditional functions rather than as the undertaking of new municipal functions.

Historical Development of Montgomery County

Montgomery County was established in 1776. It lost a portion of its area in 1789 when the District of Columbia was established out of parts of Montgomery County and its neighbor, Prince Georges County. The area of Montgomery County since that time has been 506 sq mi. Essentially, it was a rural county up until the growth of Washington began to accelerate beginning with World War I, and continuing through the days of the New Deal and World War II to the very rapid

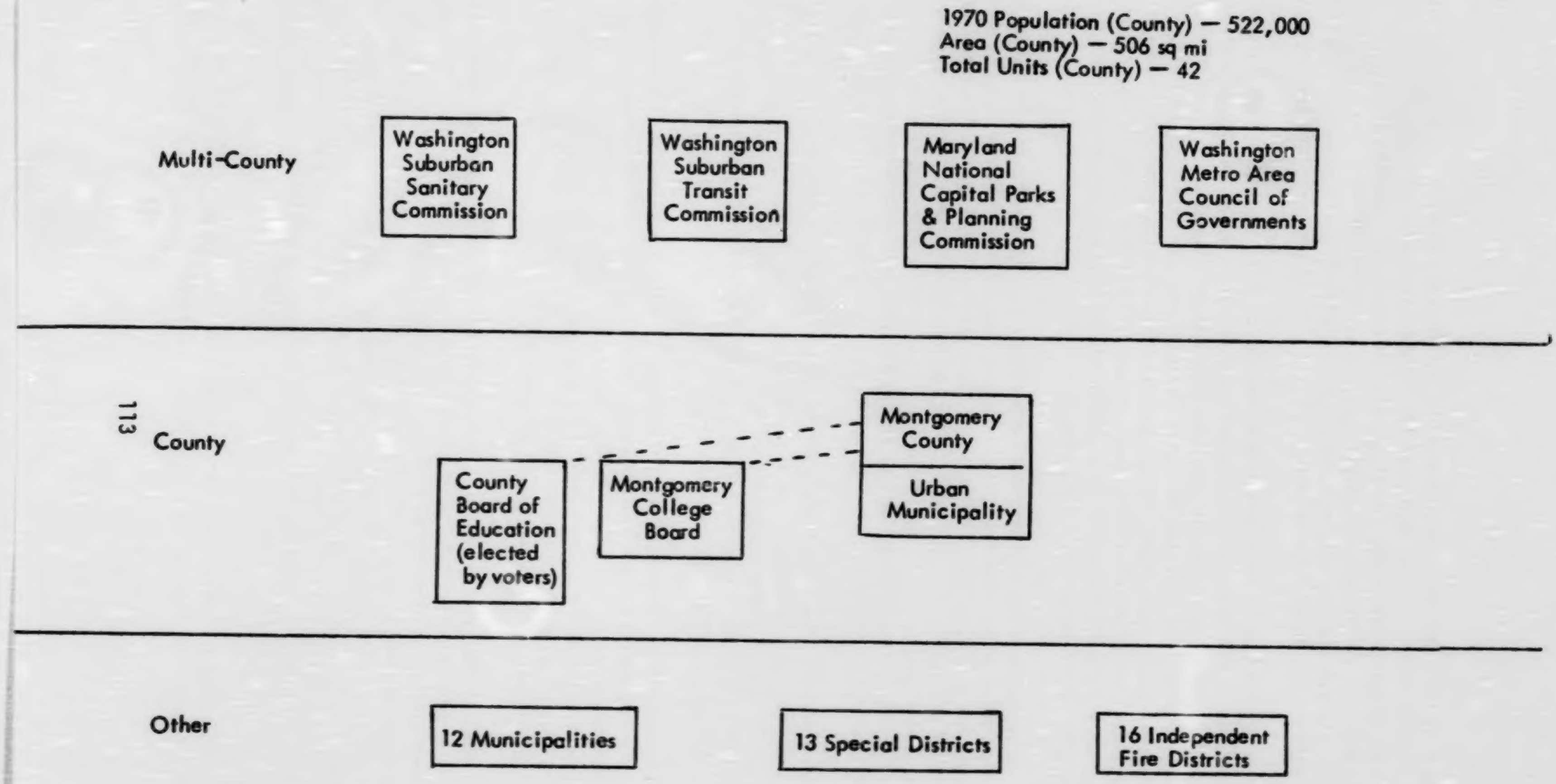

1970 Population (County) — 522,000
Area (County) — 506 sq mi
Total Units (County) — 42
Multi-County
Washington Suburban Sanitary Commission
Washington Suburban Transit Commission
Maryland National Capital Parks & Planning Commission
Washington Metro Area Council of Governments
County
Montgomery County
Urban Municipality
County Board of Education (elected by voters)
Montgomery College Board
Other
12 Municipalities
13 Special Districts
16 Independent Fire Districts

Fig. 15. Governmental Characteristics — Montgomery County, Maryland

growth of recent decades. As late as 1950, the county seat town of Rockville had a population of 6,000, and was the largest incorporated municipality entirely within the boundaries of the county. At that point the county had a population of 164,000, of which only 23,000, or 14%, lived within municipal boundaries. In 1970, the population of the county had increased to 522,000 of which 17% lived within municipal boundaries.

As these figures show, a salient characteristic of the population growth of Montgomery County has been that the great majority of it has occurred outside municipal boundaries. The largest and best known "places" in the county, such as Silver Spring , Bethesda, and Wheaton are not municipalities, but are nevertheless major suburban centers that in other metropolitan counties would be incorporated municipalities with populations in excess of 100,000 each; there is no way of specifying the exact population of these areas since they do not have the boundaries of an incorporated city.

Thus, urban growth in Montgomery County has been essentially urbanization of unincorporated areas of the county. There were some small municipalities established back in the late 1800's around the station stops on the railroads going out from Washington and at the ends of the streetcar lines. But the major population growth has occurred out from the major streets of Washington, D.C. as population spilled over the borders of the District of Columbia out into Montgomery County.

Governmentally, the growth differs from that of many suburban areas in having very few municipalities and only one school district, which covers the entire county. In 1972, there were 14 incorporated municipalities and 13 special taxing districts in the county. Thus, proliferation of local governments is not a characteristic of Montgomery County.

The reason for the relatively small number of local governments is that county political leaders in the period between 1900 and 1948 did not permit the incorporation of local units and limited the use of special districts. The same policy was in effect in some other Maryland counties, for example, Baltimore County (which does not include the City of Baltimore) in 1970 had over 600,000 population and had only two local governments.

Maryland has had county-wide school systems since public schools were established, so that suburbanites moving into Montgomery county found their schools provided by the county school system. Special tax districts to provide certain urban-type services were established in the earliest suburban areas adjacent to the District of Columbia. Formally, they were given names as villages, for example North Chevy Chase and Chevy Chase View, but their activities are those of special districts for trash collection, tree care, and sidewalks. But as growth continued, these kinds of services were provided to the newer suburban areas by the county.

As urbanization occurred, fire protection was handled by volunteer fire departments supported at first by contributions, and later by taxes. With the advent of property taxes for this activity, the county council was designated as the tax levying authority, but essentially the fire departments remain independent. There are 16 independent fire districts in the county at present, of whom 2 have only full-time professional firefighters. The rest also have volunteer firemen, and as in other parts of the country, the volunteer firemen and their friends are a potent political force. The independent fire departments have successfully resisted occasional efforts by reformers to establish a county-wide fire department.

Governmental services required by residents of the urbanizing areas were provided by a combination of agencies: municipalities, special taxing districts, bi-county districts, independent fire departments, and the county. By the end of World War II, the old county commission system of government seemed to be unsatisfactory and after a number of studies and efforts at reform, a home-rule charter was adopted in 1948 providing for a county manager form of government. This existed until 1970, when an elected county executive form of government went into effect.

The county manager and county executive forms in Montgomery County are virtually indistinguishable from the city manager or strong mayor forms of government that exist in large cities throughout the country. The county has a merit system and its departments are operated by professional personnel, just as is the case in most major cities, and the county manager system in Montgomery County was recognized as a valid council-manager system by the International City Managers Association.

So far as can be determined, the change from the county manager system to the county executive system in 1970 was not done because of any major dissatisfaction with the council-manager system. It was felt that after twenty years, the charter ought to be re-examined, and in the process of doing so the academic consultants suggested that the strong elected executive system was regarded by many experts as being superior to the appointed executive of the council-manager system. It was felt that there was a need for an elected spokesman for the county, and the idea appealed to political leaders. As a result, the charter committee recommended the change and it was approved by the voters in 1968 and went into effect in 1970.

Governmental Organization

The county executive is the chief executive officer of the county. He is elected for a four year term, and is eligible for re-election for any number of additional terms. He is responsible for the administration of county activities. He appoints a county administrator, who serves at the pleasure of the executive, and who is responsible for the day-to-day operations of county government and for assisting the executive in carrying out his duties.

There is a county council of seven members elected for four-year terms. Two of the members represent the county at large, while the other five each represent one of the five councilmanic districts into which the county is divided. All seven are elected on a countywide basis. The council is the legislative branch of county government, and also deals with matters of zoning and planning.

All department heads are appointed by the county executive, after consultation with the county administrator, and subject to confirmation by the council. The charter specifically provides for a County Attorney, to be appointed in this manner, and then permits the council to determine what other department heads and departments will be established. Department heads may be removed by the county executive, but the Charter provides that the County Attorney may request a hearing before the council before he may be removed from office.

All other county personnel come under the provisions of a merit system under the general supervision of a county personnel board appointed by the council.

The charter and Maryland law give the council a wide grant of legislative powers.

The county governmental system also provides for a judicial system under the general provisions of state law. The courts are not mentioned in the county charter. There is a state district court for Montgomery county, including subordinate units such as a juvenile court. There is also a Circuit Court, a Clerk of the Circuit Court, a States Attorney, a Public Defender, and a Sheriff, whose office concerns itself primarily with civil functions associated with the courts.

There is also a county Register of Wills, a County Surveyor, a County Agricultural Extension Service, and a County Soil Conservation District. Thus, it can be seen that Montgomery County as an urban county still continues to carry out administrative and judicial duties that are usually classified as traditional county functions.

A listing of the regular administrative departments established under the charter is found in Figure 16. The list is typical of that of most urban municipalities, and includes such as activities as a Commission on Aging, a Drug Abuse program, a Human Relations Office, and a Rent Control Program. The principal urban activities not carried out by county departments are those under the jurisdiction of the two major bi-county commissions: water supply and sewers, and parks and planning.

The three years' experience in Montgomery County with the elected county executive system has not been long enough to make valid comparisons with the prior county manager system, but the experience with the two systems since 1948 has been generally good. The county government has been providing a high level of services in accordance with professional standards, and the county is recognized as one of the better urban governments in the Washington metropolitan area. At least since the 1930's, a substantial proportion of the population has consisted of federal civil servants, employees of the national associations that are headquartered in Washington, and more recently employees of "science industries." They are an articulate and active citizenry, and they have required of the county a high level of services.

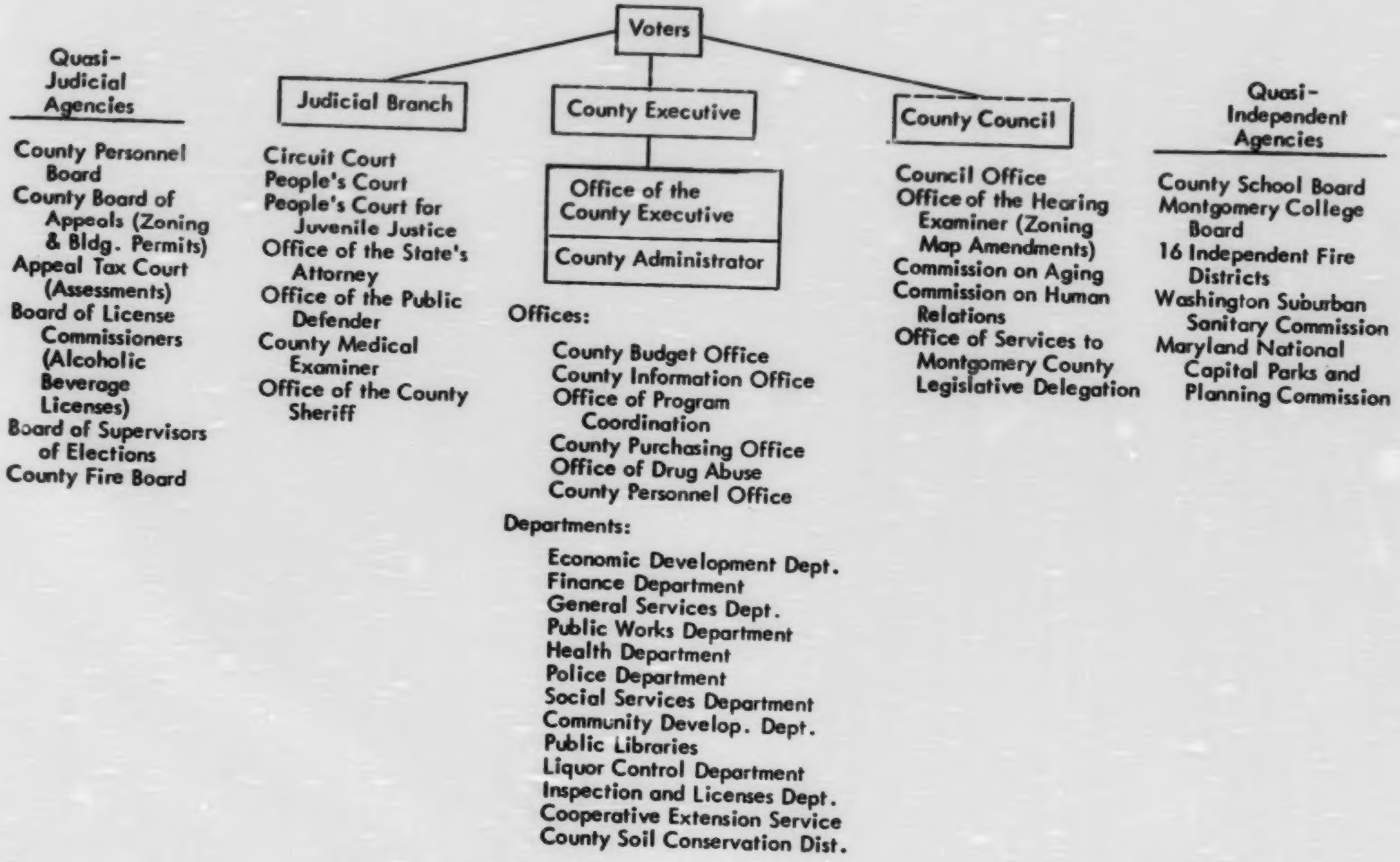

Voters
Judicial Branch
County Executive
County Council
Quasi-Judicial Agencies
County Personnel Board
County Board of Appeals (Zoning & Bldg. Permits)
Appeal Tax Court (Assessments)
Board of License Commissioners (Alcoholic Beverage Licenses)
Board of Supervisors of Elections
County Fire Board
Circuit Court
People's Court
People's Court for Juvenile Justice
Office of the State's Attorney
Office of the Public Defender
County Medical Examiner
Office of the County Sheriff
Office of the County Executive
County Administrator
Offices:
County Budget Office
County Information Office
Office of Program Coordination
County Purchasing Office
Office of Drug Abuse
County Personnel Office
Departments:
Economic Development Dept.
Finance Department
General Services Dept.
Public Works Department
Health Department
Police Department
Social Services Department
Community Develop. Dept.
Public Libraries
Liquor Control Department
Inspection and Licenses Dept.
Cooperative Extension Service
County Soil Conservation Dist.
Council Office
Office of the Hearing Examiner (Zoning Map Amendments)
Commission on Aging
Commission on Human Relations
Office of Services to Montgomery County Legislative Delegation
Quasi-Independent Agencies
County School Board
Montgomery College Board
16 Independent Fire Districts
Washington Suburban Sanitary Commission
Maryland National Capital Parks and Planning Commission

Fig. 16. Organization and Functions — Montgomery County, Maryland

Regional Agencies in the Metropolitan Area

Montgomery County is a member of the Washington Metropolitan Area Council of Governments. There are five other local government members: Prince Georges County, Maryland; the District of Columbia; and the city of Alexandria and the counties of Fairfax and Arlington in Virginia. A little over 20% of the population of the metropolitan area lives in Montgomery County, and perhaps slightly more than 20% of the income and wealth of the area is found in the county.

The Washington Metropolitan Area COG is unique in the United States in that the national government is directly represented in the COG, indirectly represented through the government of the District of Columbia, and has a heavy influence because it is the major employer in the metropolitan area. Thus, in addition to the usual problems of the felt predominance of the central city in a COG, the federal government has a predominant position in the Washington COG with which other members must cope.

This is only partially offset by the fact that each of the members is a major municipal government in its own right, and that there are only six members of the COG. Alexandria has the smallest population, 110,000 in 1970; Arlington has 174,000; the other three counties have 455,000, 522,000, and 660,000 respectively; and the District of Columbia has 756,000. So there are no very small units, and a number of the suburban members are about on a par with the central city.

Montgomery County from time to time has been a less than enthusiastic member of the COG. For one period of a year or so during the early years after the COG had been established, the Montgomery County Council withdrew from the COG and made no contributions to the COG budget. This was at a point in time when Montgomery County was an urban entity with over 400,000 population, indicating that it is not only small rural counties that sometimes have reservations about membership in COGs.

However, from time to time activities come along in which county officials want to be involved, for example in the planning that led to a rapid transit system that has a number of lines projected to extend out into Montgomery County. So, after the early period of resistance to the COG, Montgomery County again became a member.

More recently, County Executive James Gleason has expressed some doubts about the COG and its activities. His major concern is what he perceives as a tendency for COG staff to want to undertake responsibility for operating area-wide programs rather than merely providing services to the member units of government. He believes a COG could be of real assistance to local government if it provided help aimed at developing stronger local governments. Instead he sees the COG serving as a tool of the state or federal government in taking more and more responsibility away from the localities. He views the tendency toward one-man, one-vote representation for COG governing bodies as a change from representation of local governments toward a regional government, and cites the Minneapolis-St. Paul Metropolitan Council as clearly an agency not composed of local governments (Gleason, 1972).

Another point of view was expressed by the Chairman of the COG in 1970, Mr. Joseph L. Fisher. He suggested that the activities of COGs were restricted to accommodating the specific activities that the federal or state governments want the COG to undertake, and suggested that bloc grant funds might be provided to enable COG's to undertake programs responsive to all the needs of their regions. But apparently he would permit the COG to undertake activities that Mr. Gleason would prefer that it not undertake (Fisher, 1970).

A 1971 report on environmental pollution problems in the Washington Metropolitan Area suggested that the COG was a relatively weak agency as presently constituted, and recommended the establishment of a Regional Council that would be the upper tier of a two-tier governmental system, with power to levy taxes and undertake operation of regional programs such as water supply, sewage disposal, solid waste disposal, and air pollution control (U S Environmental Protection Agency, 1971).

Thus, the role of the COG in relation to Montgomery County is developing under conditions where there are differences of opinion about the proper powers and activities of the COG and the local governments. With respect to Montgomery County, no charge is made that the county is too small, or lacks power, or shows an unwillingness to act to control environmental pollution. Instead, the criticism seems to be that a single central government is needed for the region to make area-wide decisions. Obviously, Mr. Gleason and other Montgomery County officials and citizens feel that an urban county with over 500,000 population is big enough to make the necessary decisions and carry them out, in cooperation with other local governments. On both sides of the question, this appears to be an ideological preference for or against a single region-wide government.

Montgomery county is also a part of two bi-county special districts, along with its neighbor, Prince Georges County. In the 1930's, the state legislature established the Maryland-National Capital Parks and Planning Commission. The Commission is composed of an equal number of members from each county, chosen by the county council in each county. It provides an extensive parks and recreation program in both counties. Montgomery county supplements this with an additional recreation program operated by its recreation department. There is no dissatisfaction with the parks and recreation program that is operated by the Commission, but it does not provide the wide range of recreation activities that Montgomery county citizens want, and therefore must be supplemented by the county. This aual system does make for some problems of scheduling and coordination between the various recreational activities offered within the county.

The Montgomery county members of the Commission serve as the Montgomery County Planning Commission, and meet separately under their own chairman. The county planning commission works closely with the county council, by whom it is appointed, in planning and zoning matters.

The other bi-county district is the Washington Suburban Sanitary Commission, also created in the 1930's. The WSSC provides water and sanitary sewer services to a large proportion of the two counties, and has controlled the extension of these services into undeveloped portions of the two counties. The commission consists of an equal number of members from each of the two counties, appointed by the county council in each county. The portions of each county provided with these services is designated as the sanitary district, and pay a property tax as well as a service charge for these services.

Thus two major urban services were provided by the WSSC, and Montgomery county officials had only an indirect influence over the process. Since this removed them from the pressures of developers who wanted water and sewer service for their property, county officials were content with this arrangement for several decades. However, the rising interest in environmental pollution and in controlling growth in Montgomery county over the past 10 or 15 years led to an interest on the part of county officials in being able to control where the water and sewer lines were going to be extended, as one tool for controlling the direction and amount of additional population growth in the county.

This interest was spurred by events that led up to a serious problem of sewage disposal that developed over the past ten years, along with some high rise development and redevelopment that upset residents of several areas within the county.

The majority of the county council that took office in 1962 felt that development had been restricted too much during the previous few years, and so for the next four years the council granted rezoning for development of large areas of undeveloped land in the county, along with rezoning for more high-rise apartment and office buildings. Most of the members of this council were not members of the next council elected in 1966, and subsequent councils have felt that too much land was rezoned during the 1962 to 1966 period.

Meanwhile, after some regional consultations on the problem of sewage disposal, in which the enlargement of the major treatment plant of the District of Columbia was a major consideration, the WSSC felt it had enough disposal capacity coming on line over the next few years so that it could make commitments to developers to build sewer extensions into undeveloped portions of Montgomery County. There were some difficulties with Congress over the funding of the expansion of the District of Columbia plant, and the planning process took longer than anticipated, and work on other plants to be built by the WSSC did not move as rapidly as had been hoped. The net result of this process was that many more sewer connections had been authorized in Montgomery County than the treatment facilities could handle. The WSSC viewed itself as the victim of a set of circumstances beyond its control, while many Montgomery County officials and citizen groups viewed the WSSC as being the major cause of the problem.

The Montgomery County council then enacted legislation requiring a ten year county water and sewer plan to be adopted by the council, which would designate the water and sewer extensions to be made each year for the next ten years. In any given year, the WSSC could build only those extensions designated by the plan to be built in that year. The first 10 year plan was enacted in 1972. This action placed the Montgomery County council in control of water and sewer line extensions in the county for the first time. As noted earlier, this did not entirely solve the problem, because there has been some delay in building a wastewater treatment plant to be built by the county as part of the ten-year plan because the county council members could not agree on a site for the plant. Despite this small setback, Montgomery County officials are hopeful that the ten year plan will both prevent future problems of too many sewers and too little capacity, and will also be a tool by which the county council can regulate the speed and direction of future growth.

Meanwhile, the state pollution control agency ordered WSSC officials to place a moratorium on any new sewer connection commitments until the sewage treatment capacity caught up with the development authorized by existing commitments. Because many developers had anticipated the moratorium and applied for and received sewer commitments from the WSSC, it will be several years before the moratorium can bring the supply and demand for sewer treatment facilities into a reasonable balance.

One unanticipated effect of the moratorium has been that the state property assessment review agency has reduced the assessment on parcels of land owned by developers who were denied future connection commitments because of the moratorium, on the grounds that the land had less value when its development was delayed. These reassessment decisions reduced the tax base of Montgomery County by several million dollars.

To sum up, the relationship between Montgomery County and the Washington Suburban Sanitary Commission has been a mixed relationship at best. Some county officials have suggested that the WSSC should be abolished and that the water and sewer functions should be taken over by Montgomery County and Prince George's County.

Pollution Control Activities in Montgomery County

Probably the most important pollution control activity in Montgomery County has been the efforts of the county council to limit and slow down urban growth over the past few years. The effort has received considerable support from citizens, although it has not met with the approval of developers, the building industry, and the home furnishing industry, which together are one of the largest sources of employment within Montgomery county.

The council has used its planning and zoning powers to slow down growth by requiring lower densities as one of the conditions for rezoning or for the approval of plans for development. Because of the extensive rezoning done by an earlier council to encourage development, the actions of the present council are not going to result in any substantial slowdown of new building for a few years.

Meanwhile, some citizen groups are suggesting the concept of no growth. This concept has not yet been given serious consideration by the community and by county officials, although it has been discussed and there seems to be agreement that slowing growth to a relatively low rate may be desirable. In June of 1973 the Washington Metropolitan Area, including Montgomery county, had its first smog alert, an event which triggered new awareness of the connection between population and automobiles and air pollution.

Air Pollution Control

The county environmental protection department has participated in studies of air pollution done in cooperation with the Washington Metropolitan Area Council of Govemments, and operates several monitoring stations in that part of the multi-county COG network. The department also inspects incinerator controls in commercial buildings for violations of the county air pollution ordinance. Because the county has very little industry, air pollution is almost entirely caused by emissions from automobile exhausts. Thus dimunition of air pollution is primarily dependent upon national regulation of automotive emissions. When the rapid transit system now being built becomes operational, it is hoped that the amount of automotive traffic in the county and the entire metropolitan area will be reduced considerably, thus helping to reduce air pollution. The primary responsibility for air pollution control rests with the state pollution control agency.

Water Pollution Control

Up until 1972, responsibility for water pollution control rested primarily with the Washington Suburban Sanitary Commission, and Montgomery County officials felt that it was difficult to get information. Meanwhile, urban growth continued and sewer connection permits had outrun the capacity of existing treatment plants, resulting in the moratorium on sewer permits mentioned earlier. With the adoption in 1972 of the new ten-year water and sewer plan for Montgomery County, control over extension of water and sewer lines has been taken over by the county council, and improvement in pollution control is expected, once the backlog is eliminated.

The county council also decided to build a major wastewater treatment plant for the western side of the county, which will be a major part of future pollution control activities. Meanwhile, there has been some difficulty in finding a site for the plant on which the members of the council can agree, and some delay has resulted. So the change in control from the WSSC to the county has not eliminated some of the pollution control problems. Statewide pollution control regulations are established by the State Board of Health and enforced in Metropolitan County by both county and state officials.

Solid Waste Pollution Control

The disposal of solid wastes has been a major problem for Montgomery County in the past few years, just as it has been in other major urban areas. Because of the high median income of its residents, there may be a slightly greater generation of solid wastes in Montgomery County than in some other areas. The problem in the county has been to find sites for land-fills, and to provide sufficient funds for sanitary landfill operations. Because the major landfill sites were reaching their capacity, about three years ago several temporary sites were put into operation. As of mid-1973 the County Council was having difficulty agreeing upon new landfill sites because of the strong citizen opposition to having a landfill in their area of the county.

Nuclear Pollution Control

Nuclear pollution control is not a major activity for Montgomery County. The environmental protection department does monitor the nuclear equipment of private industries that hold state permits and notifies the state agency if it finds violations. There is some nuclear equipment in federal installations within the county, but this does not come within the jurisdiction of the county environmental protection department.

Noise Pollution Control

Montgomery County has a noise control ordinance which is directed primarily at automotive noises. It is enforced by the police department, which attempts to follow up on all complaints from citizens about noisy vehicles.

Visual Pollution Control

The county attempts to prevent visual pollution by control of new developments in the county, and this is one consideration taken into account by the planning commission and the county council before approval is given for development or redevelopment to proceed. However, the county does not yet prohibit overhead power and telephone lines in residential developments, although developers have been encouraged to voluntarily do this.

Summary

Montgomery County is an example of an urban county which has operated under a council-manager and a subsequent elected chief executive charter since 1948. Over 83% of the population lives in urban areas outside the boundaries of any municipality, and receives most urban governmental services from the county. Because the existing municipalities have about exhausted their capacity to absorb additional population, the proportion of residents outside municipalities will continue to be as high or higher in the future.

The county is a member of the Washington Metropolitan Area Council of Governments, and county officials generally find the COG useful as a form in which to exchange information with local officials from other jurisdictions in the area and to discuss with them possible solutions for area problems. County officials and the citizens of the county do not look with favor on the COG or any other agency becoming a regional government. They apparently believe that an urban municipality of over 500,000 population with the kind of governmental structure viewed most favorably by reformers should be the operating and decision-making governmental unit.

The county is also part of two multi-county special districts, the Maryland-National Capitol Parks and Planning Commission and the Washington Suburban Sanitary Commission. Over recent years, the county has been moving in the direction of taking control over the planning function and over water and sewer extensions, thus indicating a preference for operating all governmental services carried on within its boundaries.

SECTION IX

THE URBAN COUNTY, PLUS: METROPOLITAN DADE COUNTY

Introduction and History

Students of metropolitan government have found Metropolitan Dade County, Florida, difficult to classify, because it is still in the process of evolving. The study by the Public Administration Service in 1954, which was the basis for the subsequent successful charter effort, proposed a two-tier federation (Public Administration Service, 1954). The charter, however, provided a system of urban county government that could develop in one of several directions. Even in 1973, sixteen years after the adoption of the charter, local leaders express differing ideas of the direction of future governmental changes in Metropolitan Dade County (hereafter called Dade Metro in this chapter).

The local government pattern is roughly comparable to Los Angeles County before the Lakewood plan. In Dade County, two-thirds of the population lives in cities, but mixed in between and around the cities are unincorporated areas in which urban services are provided by the county.

But what has been happening in Dade county for the past decade or more is functional consolidation — individual cities ask the county to take over a service provided by the city, such as fire protection, or parks and recreation. Dade Metro agrees to do so, and begins to provide the service to all residents within the boundaries of that city.

Thus, over time, Dade Metro is providing not only county-wide services, but it is also providing a larger proportion of the local services within the cities. And since much of the urban growth in the past decade has been in the unincorporated areas, the proportion of local services provided by Dade Metro has been increasing steadily, and the proportion provided by the cities has been decreasing.

The term "urban county" has been applied to Metropolitan Dade County in recent years, and this seems to be a reasonably accurate description, except that Dade Metro also encompasses an entire SMSA, is the A-95 review and regional planning agency, and performs other functions usually done by a regional agency. But all of these activities take place within the boundaries of one reasonably large county.

At the same time, not all regional activities are encompassed within the county boundaries. Planning for rapid transit or a new regional airport, for example, includes representatives of from three to five counties. And as the state of Florida moves toward multi-county regional planning, Dade Metro has been included within a region that includes seven counties.

Thus Dade Metro is an urban county that has regional characteristics for some purposes, but for others it is only one county within larger regions.

Characteristics of the Miami-Dade County Area

The area of Dade county is 2,352 sq mi, making it one of the larger counties in the Eastern half of the United States. However, much of the area is low lying everglades and swamp, and only a narrow strip of land along the eastern side of the county is suitable for urban development.

Miami is the oldest of the existing incorporated cities, having incorporated in 1896. It became the largest city in the county, and in 1910 had a population of almost 5,500. Rapid development occurred in the next two decades, and in 1930 Miami had a population of 110,000. There was a slight pause during the depression, and Miami deannexed some territory because it could not afford to provide the necessary urban services. Several suburban cities were incorporated in the deannexed area, and other suburbs such as Coral Gables, Miami Beach, and Hialeah continued to grow.

Since the 1930's, developers and redevelopers have been active, changing relatively inexpensive land into residential accommodations for people who wanted to enjoy the sun and the sea and the mild winter climate. Dade county has also been an important agricultural county, ranking 86th in value of agricultural products in 1969. Urbanization continues at a rapid pace, and former agricultural land is turned into new subdivisions.

Over the past few decades, population growth has shifted outward from Miami to suburban areas. Between 1960 and 1970 the population of Miami grew by 15%, a growth that many a central city would envy. But in the same period, the population of the suburban municipalities increased by about 45%, and that of the unincorporated areas increased by over 50%. So, despite a substantial population increase in Miami, the central city proportion of the population of the county dropped to just over 26% (it had been just over 50% in 1950).

In 1970 the five largest suburban cities had slightly over 23% of the county population, while slightly more than 42% of the population lived in the unincorporated areas.

Thus, Miami differed from the central cities of other metropolitan areas that had major governmental reorganizations in the past two decades in not being the dominant center of population, as were Nashville, Jacksonville, Indianapolis, and Toronto. And Dade county is characterized by having a large and increasing portion of the population living outside the boundaries of any city.

In 1970, the population of Dade county was 1,257,000; Miami had 334,000, Hialeah 101,000, Miami Beach 87,000, and the unincorporated areas had a population of 537,000.

These growth patterns have implications for the development of local and metropolitan government in Dade county. The residents of the county each decade contain a high proportion of migrants from other areas, almost entirely from other states, but including a large influx of Cubans in the past 15 years. The strong

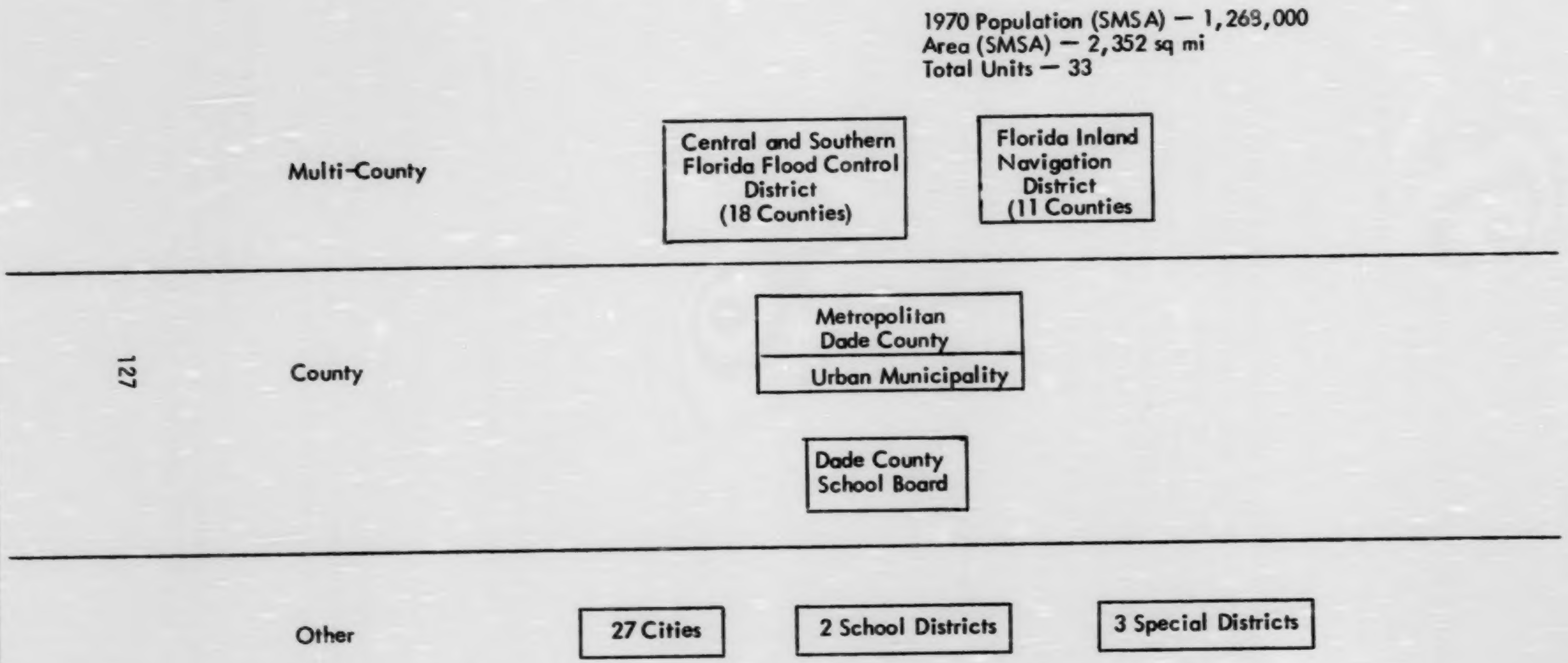

1970 Population (SMSA) — 1,268,000
Area (SMSA) — 2,352 sq mi
Total Units — 33
Multi-County
Central and Southern Florida Flood Control District (18 Counties)
Florida Inland Navigation District (11 Counties
County
Metropolitan Dade County
Urban Municipality
Dade County School Board
Other
27 Cities
2 School Districts
3 Special Districts

Fig. 17. Governmental Characteristics — Dade County, Florida

attachment of residents to their cities that exists in most other metropolitan areas of the U S appears to exist to a lesser extent in most Dade county cities because the residents are relative newcomers. And more than 400,000 of the residents of the unincorporated areas did not live there in 1950. Thus they have either voluntarily moved from a city or from outside the county into the unincorporated area, where their urban services are provided directly by Dade Metro.

The major ethnic groups in the population also tend to have a high proportion of in-migrants from other areas, and to lack identification with specific cities. The black population has had less in-migration than the rest of the population in recent decades. Blacks were nearly 13% of the population in 1950 and just under 16% in 1970. They have concentrated primarily in the city of Miami and adjacent unincorporated areas. One result of this was that the Model Cities neighborhood boundaries took in areas within the city of Miami and adjoining unincorporated areas, and was administered by the Dade Metro department of housing and urban development.

The largest ethnic group in the county is the Spanish-speaking population commonly referred to as Cubans, although there are components from other Latin backgrounds. This group totalled 300,000 in 1970, or nearly 24% of the county population. They also live primarily in the city of Miami and adjoining suburban areas. Most of them are migrants into the area within the past ten or twelve years.

The City of Miami Beach has a fairly large component of Jewish residents, most of whom are migrants from New York and other Northern cities.

Because the climate of the area attracts tourists and winter visitors, Dade county also has a large non-resident population. During peak weeks, there may be up to 300,000 non-residents living in the county. It appears that this shifting population of visitors tends to reinforce the tendency to not have deep-rooted local loyalties.

Because of its relatively recent development, and its distance from other major markets, Miami and Dade county have relatively little heavy industry and manufacturing. The travel industry and the real estate development industry appear to be the two major components of the economy. The largest private employer is Eastern Airlines.

The Dade County SMSA contains relatively few units of government. There were 33 such units in 1972, in contrast to the average of 268 units for metropolitan areas with over 1 million population. There were 28 municipalities: Dade Metro is one of them, and the other 27 were cities. There were 5 special districts, consisting of housing and urban renewal authorities and the school district.

There were 10 new municipalities incorporated in the county between 1940 and 1950. In the early 1950's, the Dade county legislative delegation to the Florida legislature obtained legislation precluding further incorporations under general state legislation, and the delegation informally agreed not to introduce special legislation for incorporations. When the Dade Metro charter went into effect in 1957, the county assumed the power over municipal incorporations and only one incorporation has been approved since that time.

There are very few multi-county districts of which Dade Metro is a member because Dade Metro serves as the regional agency for such things as A-95 review. The Florida Inland Navigation District is concerned with bridges over the inland waterway which goes through Dade county. Dade is one of seven counties in the South Florida Regional Planning Council.

Historical Development of Metropolitan Dade County

The activities leading up to the adoption of the Metropolitan Dade County charter in 1957 have been extensively studied (Sofen, 1963; Wolff, 1960; Grant, 1969, 1970), and will be only briefly reviewed here.

There had been efforts to simplify and unify local government structure in the Miami area dating from at least the 1930's. In the 1940's ten school districts were consolidated into a single county-wide district, a county-wide health system was established, and the area's major hospital was transferred from Miami to Dade county.

In 1945 the mayor of Miami offered a proposal for consolidating all units of government in the county into a unitary City and County of Miami. This was supported by the news media and by governmental reform groups, but was not introduced in the state legislature because of opposition from some of the suburban communities.

But in 1948, a proposed amendment to the Florida Constitution that would consolidate Miami and four smaller municipalities with the county, and allowing other municipalities to join at a later date, was defeated by the voters in Dade county.

In 1953, a proposal to abolish the Miami city government and transfer its functions to Dade county was narrowly defeated by the voters of the city. This close vote was an important factor in encouraging the subsequent campaign to establish a home rule charter for Dade county (Sofen, 1963).

The willingness of many Miami residents to consider unification of the city and county governments has been an unusual aspect of governmental reform in Dade county. Unlike most other areas where a unified form of government has been considered, the residents of the central city of Miami have been more open to the possibility of abolishing the city and combining it with the county. Indeed, in 1973 a member of the Dade Metro Commission from Miami was organizing yet another attempt to do just that, and was receiving some support from other Miami citizens.

Dade county government prior to reorganization was the commission form, with numerous elective offices. The council-manager form existed in Miami and several other municipalities. But despite Miami's professional governmental structure, the city government was often in political turmoil, and the relatively stable county government was a more respected institution. While it is not the norm, there have been several grand jury investigations and indictments of municipal officials in Dade county over the past 25 years. And in 1972 a petition for a recall election on four Dade County Metro commissioners was sparked by charges of corruption. Thus, the pattern of political turmoil was a factor in the movement toward governmental reorganization.

The campaign for Dade Metro began with the formation of a citizens group which commissioned a study by the Public Administration Service. The Service in 1954 recommended a home rule charter with a two-tier federated system, with the county providing metropolitan-wide services and the cities providing local services, and with a council-manager form of government for the county (Public Administration Service, 1954).

The governmental reorganization in Dade county took place over the period of a number of years. First it was necessary to amend the Florida Constitution to permit certain counties to adopt home rule charters, which was accomplished through a statewide vote on a constitutional amendment in 1956.

Then a broadly based Charter Commission was established in Dade county, and over a period of several months a proposed charter was drawn up. In this process, the major political compromise seems to have been the decision to not press for a unified governmental structure, but to establish a modernized county structure and to have the municipalities retain their existing functions. However, the charter attempted to strike a balance, which permitted the cities to voluntarily turn over individual functions to the county, and gave Dade Metro considerable power to establish county-wide standards for the performance of services.

Principal support for the charter came from the standard proponents of reform — university people, Chamber of Commerce, local news media (particularly the influential Miami Herald), and the League of Women Voters. Some opposition developed among city and county officials and employees.

The Charter was adopted in 1957 by a vote of 44,404 to 42,620, largely on the basis of the substantial majorities given the proposal in the cities of Miami and Coral Gables. Most other jurisdictions in the county voted against the charter.

Structure and Powers

The first few years of charter government for Dade Metro was marked by conflict and confusion because the opponents of Metro government continued to propose charter amendments that would change the structure and powers of Dade Metro. The changes concerned the election and powers of certain county offices such as sheriff and tax assessor, the method of election of the Dade Metro commission, the powers of the county manager, and the distribution of powers between Dade Metro and the municipalities. From 1958 through 1962, Sofen lists 17 such

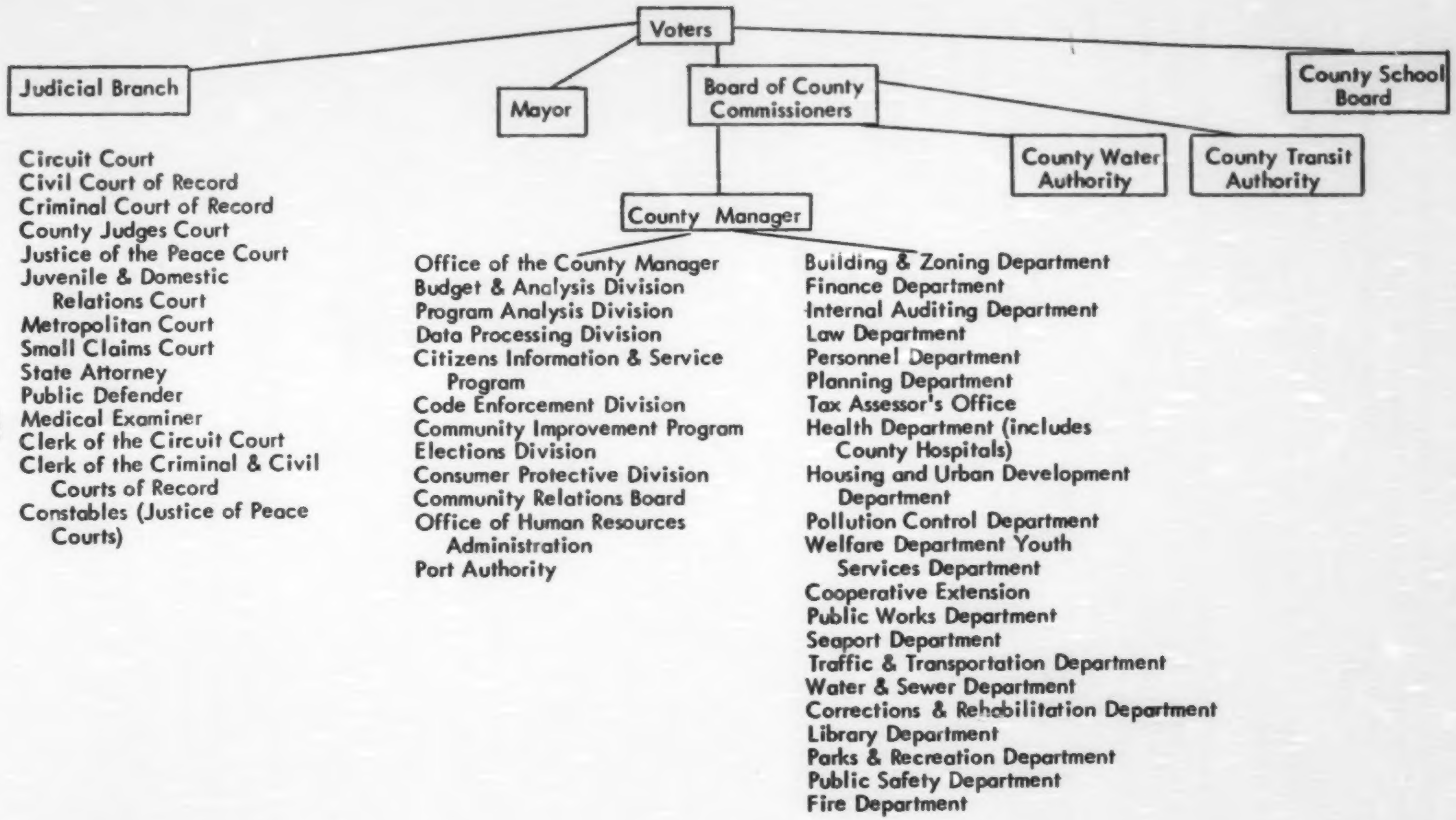

Voters
Judicial Branch
Mayor
Board of County Commissioners
County School Board
County Water Authority
County Transit Authority
County Manager
Circuit Court
Civil Court of Record
Criminal Court of Record
County Judges Court
Justice of the Peace Court
Juvenile & Domestic Relations Court
Metropolitan Court
Small Claims Court
State Attorney
Public Defender
Medical Examiner
Clerk of the Circuit Court
Clerk of the Criminal & Civil Courts of Record
Constables (Justice of Peace Courts)
Office of the County Manager
Budget & Analysis Division
Program Analysis Division
Data Processing Division
Citizens Information & Service Program
Code Enforcement Division
Community Improvement Program
Elections Division
Consumer Protective Division
Community Relations Board
Office of Human Resources Administration
Port Authority
Building & Zoning Department
Finance Department
Internal Auditing Department
Law Department
Personnel Department
Planning Department
Tax Assessor's Office
Health Department (includes County Hospitals)
Housing and Urban Development Department
Pollution Control Department
Welfare Department Youth Services Department
Cooperative Extension
Public Works Department
Seaport Department
Traffic & Transportation Department
Water & Sewer Department
Corrections & Rehabilitation Department
Library Department
Parks & Recreation Department
Public Safety Department
Fire Department

Fig. 18. Organization and Functions — Metropolitan Dade County

amendments submitted to the voters (Sofen, 1963, p. 228). Most of the proposals were defeated, and those that were adopted were of relatively minor consequence except the repeal of a mandatory reassessment provision of the charter, and amendments limiting the power of the manager to appoint department heads and reorganize and combine departments without Commission approval. But the continued proposal of and elections concerning charter amendments indicated a continuing opposition to Dade Metro and diverted the attention of Metro officials from the day-to-day business of governing.

The basic structure of Dade Metro is the commission-manager form of government. It has the largest population of any local government using the manager form of government in the United States. Many of the studies of Dade Metro have devoted considerable attention to the county managers, their managerial styles, and their relationships with the commission. Looking back over the first 15 years of Dade Metro, it appears that each of the county managers made major contributions to building the administrative structure and staff, and to educating the community about how the commission-manager form of government operates. This has not been an easy task. As recently as 1972, four of the Dade Metro commissioners were removed from office by the voters in a recall election. And the previous year the Dade County Metro Study Commission recommended a strong mayor system that would have weakened considerably the relative position of the manager. In the 15 years of continuous turbulence, the manager system has not really had the opportunity to show what it could do.

But in 1973, most observers in Dade county felt that the county manager and the mayor and commissioners were finally putting it all together. And observers, while praising the incumbent manager, were careful to add that the commission he had to work with was the best commission so far. The general feeling of optimism was supported by the fact that the voters had shown support for the present administration in 1972 by approving the issuance of $536,000,000 in bonds for a wide variety of county projects.

Dade Metro is governed by eight commissioners and a mayor who presides over and is a voting member of the commission. There are eight districts. The commissioner must be a resident of the district from which elected, but is elected by the voters of the entire county, in a nonpartisan election. The mayor is also elected by the voters of the entire county.

Thus far there has never developed in Dade Metro the kind of nonpartisan local political party so often found in other commission-manager municipalities. In Dade's individualistic electoral system, the most sought-after endorsement is that of the Miami Herald, but the voters tend nevertheless to make their own selections.

The commissioners hire the manager, and he serves at their pleasure. He appoints department heads, subject to the approval of the commission. Virtually all other Dade Metro employees are selected under the merit system except for judges and other employees of the court system.

There is in the county a state circuit court, whose judges, state's attorney, public defender and other officials are selected under the provisions of state law, in which Dade Metro has only the responsibility for holding such elections as are required. However, Dade Metro, like other Florida counties, must provide funds for salaries, court and office buildings, and other requirements of the court system.

There is also a metropolitan court system, which is provided for in the charter of Dade Metro, and which is essentially a municipal court system. The relationship of this court system to the existing municipal courts was a matter of continuing controversy in the early years of Metro. At present, the metropolitan court is the municipal court in the unincorporated areas of the county and in those municipalities that have asked the county commission to provide municipal court services for them. In other municipalities, such as Hialeah, the city has chosen to provide its own municipal courts.

Under the direction of the county manager are some 24 major departments. A few of them are departments with traditional county functions such as cooperative agricultural extension, medical examiner, and elections. The remainder tend to perform the functions of departments in large cities, including departments of general services administration, and of housing and urban development, which suggest an adaptation of federal agency functions to the local level.

There are five staff agencies, called offices, such as management and budget and human resources administration. A relatively new staff agency is the Office of Environmental Resource Management, which will be discussed later.

There are a number of other county agencies that do not seem to fit the traditional line and staff model, in that they are advisory to the commission, or perform functions that in other local areas are regarded as regional in nature. For example, the Equal Employment Opportunity Commission is advisory to the county commissioners. Two agencies, the Criminal Justice Planning Council and the Manpower Area Planning Council are simultaneously county and regional agencies that work directly with the county manager, but perform review functions for proposals from the county and municipalities within the county.

Division of Functions Between Metropolitan Dade County and the Municipalities Within the County

The Dade Metro charter provides for a two tier system in that home rule powers are conferred not only to Metro, but also to the constituent municipalities. But there is ambiguity in the charter with respect to the precise relationship of Metro to the municipalities, as indicated by the following appraisal:

> Most of the charter provisions are permissive and none accomplish in themselves any allocation or transfer of function. Powers are conferred upon the county, but until those powers are exercised by the Board of County Commissioners municipal authority continues unrestricted by the charter. Consequently, the development of the pattern of interlocal

> governmental relations in Dade County depends in large part upon political decisions to be made by the Board of County Commissioners (Feldman & Jassy, 1967, p. 358).

There are some area-wide, metropolitan-level functions assigned to Dade Metro by the charter: health and welfare; enforcement of the building code; comprehensive planning, pollution control; social action programs; ports, airports, transit, Metro parks and recreation programs; a court system; and area-wide responsibilities for traffic control and roadways.

Responsibility for water and sewage services was to be given to Dade Metro by the charter, and the Metro Water and Sewer Board has regulatory power over all public and private water and sewer utilities. Yet the major operating agency until 1973 was the City of Miami Water and Sewer Authority, and Dade Metro had a limited role in providing water and sewer services. In 1973, the Authority was moved from the jurisdiction of the Miami City Commission, renamed, and placed under the jurisdiction of the Dade Metro Commission, where it absorbed the water and sewer services formerly provided by Dade Metro. The transfer of this major operating agency to Metro had been a long and delicate transaction, and the Authority remains a quasi-independent agency separate from the regular departments of Metro and not under the jurisdiction of the County Manager.

At the same time, municipalities within the county are authorized by the charter to exercise all powers relating to local affairs not inconsistent with the charter. Thus the municipalities have a wide range of functions such as police patrol, fire protection, parks and recreation, and zoning and subdivision regulation which can be performed by the municipality.

The charter provided that Dade Metro may set reasonable minimum standards for all local governments in the county for the performance of any service or function. If the municipalities do not meet these standards, Metro may take over and perform the function within the municipality. While this is a very strong provision, the Dade Metro Commission has been reluctant to impose minimum standards, and there has been no instance of Metro taking over and performing a regular municipal function unless requested to do so by the municipality.

The charter also provides that Dade Metro may take over and operate or grant franchises to operate any municipal service if authorized to do so by a two-thirds vote of the governing body of the municipality or by a majority of those voting within the municipality on the question of whether the county should take over a specific service. The election on this question may be called either by the governing body of the municipality or by the Dade Metro Commission. The Metro Commission has not called such an election, and as a matter of policy has taken over services only when requested to do so.

Over the years Dade Metro has received and acceded to a considerable number of requests to take over services, as is indicated in Table 9.

Table 9

Functions Transferred to Dade County by Municipal Governments Since 1957 (excluding law enforcement services)

Year	Function	City
1959	Traffic Courts	All cities
1960	Seaport	Miami
	Traffic Engineering	All
	Traffic Patrol	Coral Gables
1961	Crime Lab	Miami
1963	Drunkometer Testing	Miami
1964	River Patrol	Miami
1966	Libraries	South Miami, Coral Gables, Miami Springs
	Beach Maintenance	Miami Beach
	Fire Communications	North Miami Beach
	Tax Assessment	All
	Tax Collection	All
1967	Soar Park	Miami
	Neighborhood Rehab	Miami
	Arterial Bridge Maint	Miami
1968	Fire Protection	Florida City, Virginia Gardens
	Arterial Streetlighting	Miami (and others)
	Housing Authority	Miami
	City Stockade	Miami
	Consumer Protection	Miami
1969	Fire Protection	North Miami
	Voter Registration	North Bay Village
1970	Fire Communications	Miami Shores
1971	Auto Inspection	Miami
	Libraries	Miami
	Voter Registration	Biscayne Park, Miami Beach
1972	City Jail	Miami
	Municipal Court	Miami
	Fire Protection	Opa-locka, Bal Harbour-Bay Harbor Islands, North Bay Village
	Fire Communications	Miami Springs, West Maimi, Sweetwater
	Voter Registration	El Portal
	Auto Inspection	Hialeah

Year	Function	City
1973	Park, Recreation, Special Facilities	Miami - Proposed
	Fire Protection	Miami Shores - Proposed
	Voter Registration	Bay Harbor Islands, North Miami Beach, Miami Shores, Sweetwater, Hialeah Gardens
	Water & Sewer Authority	Miami
	Fire Protection	Surfside
1974	Voter Registration	All (10 remaining) - State Mandate

Source: Metropolitan Dade County Office of Management & Budget, July 1973.

The Dade Metro Department of Public Safety also provides services for many of the cities in the county. For example, crime laboratory service, central accident records, and vice investigations are provided by the department for all municipalities within the county. On the other hand, 25 of the 26 cities provide their own routine police patrol and 23 of the 26 provide their own traffic law enforcement. And Miami, Miami Beach and Hialeah still provide most of the major law enforcement services for themselves.

When a service is transferred from a municipality to Dade Metro, the cost of the service is included as a part of the Dade Metro budget. Thus there is some financial incentive for the cities to transfer functions to Dade Metro. The Florida legislature, by a statute effective in 1972, added some additional incentive by imposing a tax rate limitation of 10 mills on each municipality in the state. Several of the cities in Dade county, including Miami, were above the rate limit, and in order to meet the state requirement they had to cut their expenditures. It is expected that as the 10 mill limit begins to pinch municipal budgets even further, there will be more requests for the transfer of functions to Dade Metro.

Another issue has been that there were many people who felt that city residents were paying county taxes that helped to subsidize Date Metro services in the unincorporated areas, whose residents paid only the county taxes. One of the arguments advanced by those who favored abolishing the city of Miami has been that this action would eliminate the double taxation now being paid by residents of the city.

Metro officials say that this criticism may have been true in the past, but that changes in the past few years have brought in sufficient revenues from the unincorporated areas to pay for the municipal services they receive directly from the county. The 1973-74 Dade Metro budget points out that non-property tax revenue from the unincorporated areas is expected to total $36.4 million, more than enough to pay for the municipal services received. The major sources are the utility tax ($17 million), state revenue sharing to the county for the unincorporated territory from gasoline and cigarette taxes ($9.4 million), building and zoning fees ($3.7 million), and traffic fine revenue ($3.2 million) (Metropolitan Dade County, 1973, p. 7). This is admittedly a rough kind of cost-benefit measurement, but it has been accepted as valid in some court suits brought against the county by taxpayers. Some outside observers, however, have raised questions about both the validity of the method for determining costs and benefits and the economic efficiency of the Dade county system for residents desiring different levels of services (Bish, 1971, p. 100).

At the cutoff point for our study, there was still a suit in the Florida courts challenging the right of Dade Metro to levy the utility tax on residents of the unincorporated areas. Because this tax provides the bulk of the revenue on which the argument of adequate tax payments from the unincorporated areas rests, it remains a serious challenge to the ability of Metro to tax residents fairly for services.

With the continued transfer of functions from the municipalities to Dade Metro, the question arises as to what services will ultimately be retained by the municipalities. Some observers predict that most cities will be left with one or two services, such as routine police patrol. It is expected that Hialeah and Coral Gables will retain more services than this minimum as long as possible.

Thus, the picture is one of centralization, with the provision of services for all residents being done by Dade Metro, with some municipalities providing a few additional services. This would eliminate the kind of two-tier system originally envisioned by the PAS study, with Metro providing area-wide services and the municipalities providing local services.

The idea of a two-tier system is still in the minds of many local observers, including some Dade Metro officials. Indeed, in 1971 the report of the Metropolitan Dade Charter Commission recommended a complete two-tier system, to be accomplished by dividing the unincorporated areas into four to six service districts which would, like the municipalities, support their own local services from property taxes and service fees within the district (Wood, July 1971, p. 397). Apparently the service district was regarded by the Charter Commission as an interim device to be used until the service district residents were persuaded that they should incorporate into municipalities. The service districts would be governed by the Dade Metro Commission, but each one would have an elected district board recommending the level of local taxation to be levied by the Commission for their district. This proposal was not accepted and put on the ballot, but discussion on some kind of two-tier system continues in Dade county, and many observers believe that some sort of two-tier system will eventually be adopted. Just what this will mean for the direct provision of local services by Dade Metro is unclear, because there are a number of possible options. What is clear is that the evolution of the system of provision of local government services in Dade Metro can be expected to continue, and that further changes can be expected.

Pollution Control Activities in Metropolitan Dade County

Citizens of Dade county and Dade Metro officials have shown considerable concern about pollution problems. In Dade county, as in some other parts of Florida, there has been the realization that increased population is inevitably followed by increased pollution. This realization has led to serious consideration of the question of whether additional growth is really desirable.

The same question has been raised by the governor and other state officials, and the state government has moved to at least slow the growth rate and to control the effects of pollution upon the major land and water resources of the state. Legislators from Dade county have been among the leaders in these efforts.

In Dade county, the issue of growth has received considerable attention. Because the land development and building industry is one of the major components of the economy, there has been considerable resistance to the idea of limiting growth. At the same time, there is a general public awareness that too many people and too much additional building will cause a deterioration of the Florida lifestyle, and that this has already begun to happen in parts of Dade county and other nearby areas used for recreation by Dade county residents. In a 1973 survey, two-thirds of the members of the Greater Miami Chamber of Commerce favored government and business policies that would discourage migration to South Florida and would try to improve the lifestyles of current residents.

The Dade Metro Commission has discussed the need for limiting growth. It has taken tentative action in that direction by imposing temporary moratoriums on rezoning in major areas of the county while a development plan is being prepared and adopted for the county. The Commission also has consistently voted to reduce permitted densities in rezoning actions that have come before it.

These actions are directly related to pollution control, in that air pollution in the county is caused almost entirely by automobiles, and a slowing of population growth means a slowing of the increase in the number of automobiles operating within the county. Similarly, new housing developments add to the existing problems of waste disposal, and further development in the south and western portions of Dade county poses problems of increased pollution of the Everglades.

Within this general context of discussion and action to decelerate the rapid growth of the county, Dade Metro has programs aimed at the specific problems of pollution.

Office of Environmental Resource Management

In the 1973-74 budget of Dade Metro, provision was made for a new Office of Environmental Resource Management as an adjunct of the County Manager's office. The new office was not in operation at the time our study was made. The announced intention was to have a staff agency to pull together the county's efforts in dealing with environmental resource problems, including the problems of water resources management, solid waste disposal, river restoration, and to cooperate on environmental matters with other agencies such as the Inland Navigation district, the Flood Control District, and the Regional Planning Council. The establishment of this office appears to indicate formal recognition by the Manager and Commission that Dade Metro should be devoting more attention to emerging problems of environmental protection.

Air Pollution Control Activities

The Dade Metro Pollution Control Department operates air pollution monitoring stations, and periodically inspects installations that emit air pollutants. When air pollution reaches dangerous levels, the department recommends to the county manager that an air pollution alert be activated. The county has had several such alerts. The basic air pollution problem in Dade county is automotive exhausts, and most local observers feel any solution must come from federal and state controls over automobile exhausts. However, it is recognized that some amelioration can be achieved through such things as a rapid transit system and limitations on future population growth, and Dade Metro is moving ahead on both of these programs.

Water Pollution Control Activities

The major water pollution problem for Dade county has been sewage disposal, with runoff from lawn and agricultural chemicals also a serious problem, and commercial and industrial pollution being somewhat less serious.

Sewage disposal has been one of the major failures of local government in the Miami-Dade Metro area over the past 15 years. Essentially, the problem has been that local governments have permitted too much new residential and commercial development without making adequate provision for sewage disposal. Several times in the past 15 years, the problem has reached near-crisis proportions, and a really serious crisis has been averted by a combination of good luck and last-minute efforts.

Since 1957, the major responsibility for a county-wide sewage disposal program has rested on Dade Metro, so the continuing seriousness of the problem must be regarded as a failure of Metro to deal with the problem for the first 15 years of its existence. Sewage disposal was one of the more intractible problems facing the county, and other local government agencies also had major responsibility and authority in this field. But the county charter gave Dade Metro the authority to set standards for and regulate all local sewage disposal programs, as well as to provide sewage disposal services itself. So if sewage disposal remained a major problem, it was because Metro could not muster the necessary will and resources to deal adequately with the problem.

However, there has been an accelerated effort to meet the problem in recent years, and it appears that the problem may be brought under control within the next few years under the leadership of Dade Metro, in cooperation with state and federal officials.

Some of the initial impetus for this effort came from a hearing on water pollution problems held in Dade county by the U S Environmental Protection Agency in 1970. This hearing identified the dimensions of the pollution control problem in the area, alerted the public to the need for action, and brought out what local agencies needed to do. While there have been disagreements, it appears that EPA encouragement and support has been one of the ingredients in the efforts of Dade Metro to deal with the problem.

Meanwhile, the State of Florida was showing increasing concern about pollution of water resources, and established a State Department of Pollution Control with considerable power to regulate local activities. Dade Metro incorporated all the rules and regulations of the state department into the county pollution control ordinance by reference. Thus, the State and Metro share responsibility for taking action in the case of water pollution.

Where there is a major outbreak of pollution, in which the sewage disposal plants of Dade Metro or the City of Miami or other major cities in the county seem to be at fault, it is up to the state to take action. But in the case of pollution discharges into the streams within the county, the Dade Metro Pollution Control Department is responsible for enforcement action against polluters.

Up until 1973, the major agency supplying water and sewer services in the county was the City of Miami Water and Sewer Authority, which furnished the water supply to about 70% of residents of the county, and furnished the sewage disposal for nearly 50% of them. The Authority was under the jurisdiction of the Maimi City Commission, but operated independently of the city manager, thus being a quasi-independent authority.

The Dade Metro Charter established a Water and Sewer Board with authority to regulate water and sewer agencies within the county. It has regulated the smaller public and private water and sewer agencies in the county, but never really had either the technical or political capacity to exercise real control over the Miami Water and Sewer Authority. The Dade Metro Commission also has charter authority to establish minimum standards for water and sewer services within the county, but has chosen not to exercise this power to control the Miami Water and Sewer Authority.

In 1973, after extensive negotiations, the Miami Water and Sewer Authority was transferred from Miami to Dade Metro, and became the Metropolitan Dade County Water and Sewer Authority. It absorbed the existing Metro sewer authority, which had operated on a considerably smaller scale than the Miami authority. The transfer means that there is now a county-wide authority that provides most of the water and sewer services within the county, and it is under the jurisdiction of the Dade Metro Commission, so that it should be easier to establish and carry out a Metro water and sewer policy. The Authority is not under the jurisdiction of the county manager, so it retains the semi-autonomous position that it held when it was an agency of the City of Miami.

Another part of the water pollution control problem in the county is the number of jurisdictions that are involved in granting permission to developers and builders to hook up to existing major sewer systems, or to establish small treatment plants, or to use septic tanks. In the incorporated areas, these decisions are made by the various municipalities concerned. In the unincorporated areas, the decisions are made by Dade Metro, but are made by three different departments — Building and Zoning, Public Works, and Pollution Control — plus the Metro Commissioners through their actions on zoning and rezoning. Once the tanks and plants are authorized, the Pollution Control department inspects them on a continuing basis and enforces the pollution control ordinance. The Department has worked out an effective relationship with the prosecuting attorney's office, and court enforcement has been effective enough so that once a polluter has consulted his lawyer, he usually is ready to stop the pollution without the necessity for court action.

The Dade Metro Pollution Control Department in 1973 was in the process of developing a proposed ordinance to require filling stations to install leak-proof gasoline storage systems and another ordinance to regulate discharges from metal plating plants, an important component of industry in Dade county. Both ordinances would add to the expense of the affected businesses, but since this pollution directly affects the aquifer on which the water supply of the entire area depends, the ordinances were regarded as necessary.

To sum up, the Dade Metro Pollution Control Department monitored water pollution and enforced the existing Metro ordinances and was developing a new ordinance . It was a good program, and was well operated. But there were larger questions of pollution that were beyond the control of the Department, and for which responsibility rested in the Dade Metro Commission, the Water and Sewer Authority, and the State and Federal pollution control agencies.

For example, the ultimate method of sewage disposal for the county was still under discussion. The City of Miami Beach was under a state and federal mandate to hook up its sewage outfall line to one of the plants of the County Water and Sewer Authority, and to cease discharging treated sewage into the Atlantic Ocean too close to the shore. But the approved disposal method was to discharge into the Atlantic at a distance of several miles from shore, where the cleansing action of the Gulf Stream provided adequate dispersal. Even so, there were occasional complaints from the adjoining downstream areas such as Broward County and Palm Beach County that their beaches were being polluted by Dade Metro and its municipalities.

In the Water and Sewer Plan developed by Dade Metro in 1973 and approved by the State and Federal agencies, this off-shore discharge was a part of the approved plan. But there was also a controversial proposal for making use of deep-well disposal as an alternative to discharge into the ocean. So there are still some major unsolved questions as to where to put the sewage in the more distant future.

Meanwhile Dade Metro officials are optimistic that the Water and Sewer Plan can be implemented within the next few years, thus bringing under control the immediate water pollution problem from sewage disposal. Among the bond issues approved by the voters in 1973 was a substantial amount for sewer mains and treatment plants, which together with promised EPA grant funds will build substantially all the facilities needed to provide adequate treatment and disposal for buildings and population foreseeable in the next few years. If a major pollution outbreak can be avoided while the facilities are being built, Metro will have then achieved considerable success in dealing with the sewage disposal problem. However, any combination of accelerated growth and inflationary costs might tend to limit the success of the effort, as would any lessening of the federal funds being counted on by Metro.

The water pollution problems of agricultural chemicals and the runoff from homeowners' lawns of pesticides and fertilizers is a major one, though less pressing than that of sewage disposal. It is acute on the Western side of the county, where this runoff goes into the streams flowing through the everglades, but is also a problem in terms of weed growth in the drainage canals and pesticide concentrations in fish in the canals and rivers on the East side of the county. At this point, the county is relying on an educational campaign to persuade people to use chemicals as directed. In the long run, however, there will have to be a major policy decision by the Dade Metro Commission or the State or Federal agency, and the alternatives and consequences seem to have not yet been very well identified.

Solid Waste Pollution

At present Dade Metro and the municipalities in the county are relying upon a combination of sanitary landfills and incineration to dispose of solid wastes. The limitations of both appear to be well understood, and Dade Metro is actively exploring alternative methods of disposal. However, there are no feasible alternatives in sight, and as landfill sites become more scarce, the problem will become more acute for Dade county than in other parts of the country where potential sites are more plentiful. Dade Metro officials are aware of the problem, but at present seem to be hoping that improved technology of some kind will appear in time to prevent a crisis in solid waste disposal.

Nuclear Pollution Control Activities

There is not much nuclear activity in the county, and consequently not much problem of nuclear pollution. The Dade Metro Pollution Control Department issues permits and inspects the equipment of industrial firms using nuclear equipment.

Noise Pollution Control Activities

Dade Metro has a noise ordinance aimed primarily at vehicle and machinery noise levels, which is enforced when a complaint is received or when a violation comes directly to the attention of a police officer. In 1973 the Dade Metro Commission had indicated an interest in revision of the ordinance to provide stricter control over machinery and vehicle noise, and the Pollution Control Department had undertaken a study of noise levels as a preliminary step to developing a proposal for a revised ordinance.

Dade Metro is in a somewhat ambivalent position with respect to aircraft noise. As a major air transport center, with a substantial number of its citizens employed by the air transport industry, it is faced with the problem of not unduly restricting its economic base by having such stringent noise controls that the industry would look elsewhere.

At the same time, there is pressure from citizens whose homes are subject to noise from aircraft flight patterns, and from those whose homes would be in the proposed flight patterns from new airports. Yet efforts to relocate airports in the direction of less densely populated areas almost inevitably move the aircraft noise out over the everglades and the cypress swamps, and encounters major opposition from conservationists both in the county, the state, and the nation, since the everglades are regarded as a unique natural resource. It appears that the problem will continue to grow more difficult as time passes, since both the economic and conservationist values will continue to be important to residents of the county.

To sum up, Dade Metro has had mixed results in dealing with pollution control problems. It seems to be pulling together the necessary funds and power to deal with the immediate problems of sewage disposal. In the case of solid wastes, air, nuclear, and noise pollution, Metro appears to be doing as well as are other major municipalities throughout the country. But Metro still has major long range pollution problems of solid waste, air quality, and sewage disposal. It has yet to make some of the difficult value choices that seem to be required to either live with or cut down on the pollution. And even if it were to make these difficult choices, Metro would still be dependent upon action by local governments in other parts of the state, by regional agencies, and by the state and national governments before the pollution problems could be dealt with in the way chosen by Metro. At the same time, it appears that the existence of the Dade Metro government has made it possible to deal with some pollution problems on a county-wide basis, which was more difficult before Metro came into existence.

Summary

For the first fifteen years of the existence of Metropolitan Dade County, a series of political attacks on its structure and officials tended to take a disproportionate portion of time and attention. This is reflected in the literature about Dade Metro, which tends to be concerned with the process by which it was brought into existence and survived the attacks.

The consultants' report from which the charter commission began its work proposed a two-tier federation, and this image persisted although the charter established an urban county with broad powers to determine the directions in which it would evolve. Both the report and the charter provided that area-wide functions would be performed by Metro and local functions would be performed by municipalities. Both of them gave Metro power to set minimum standards for the services performed by the municipalities.

But the charter permitted Metro to also provide urban services directly in unincorporated areas, and what has developed is that Metro provides all urban services in unincorporated areas occupied by about one-third of the population of the county. In addition, many of the municipalities have requested that Metro provide certain urban services within their boundaries, and Metro has proceeded to do so. But Metro has never seen fit to establish minimum standards for the provision of urban services by the municipalities.

Thus, what has developed in an urban county that provides area-wide services, but not a two-tier or federated system. With respect to the local services, what has been happening is a transfer of functions from many of the municipalities to the county.

In addition, the county has performed some functions that are usually thought of as regional in nature, for example A-95 review and Law Enforcement and Health Services planning. So, in most respects, Dade Metro has been a regional agency, primarily in connection with federal regional requirements.

For some purposes such as airport and rapid transit planning, and environmental planning, Dade Metro has participated with adjoining counties as a part of several multi-county regions. In the regulation of land use and environmental management, the State of Florida is taking an increasing role, and Dade Metro participates under the jurisdiction of the appropriate state agency.

It appears that the political challenges to Dade Metro's status in the county may have lost their force, so that Metro can now turn its attention to its functions as an urban county. Further evolution and controversy may be expected on the role of Metro and the local governments, including the question of decentralization of Metro services in the unincorporated areas. Some evolution and controversy may also be expected as Dade Metro becomes more closed engaged with adjoining counties and the state government in activities that extend beyond the boundaries of Metro.

SECTION X

NASHVILLE-DAVIDSON COUNTY, TENNESSEE

Introduction and History

Nashville is the capital of Tennessee, a cultural, entertainment and commercial center, justifiably resentful of the imposition of the "hillbilly image" sometimes portrayed by the media.

Perhaps best known as the "Country Music Capital of the World," Nashville is also a city of educational institutions (including the prestigeous Vanderbilt and Fiske Universities), government offices, and insurance and banking firms. More of a commercial than an industrial center, the Nashville area (Davidson County) has a diversified economy and rate of economic growth that has provided a healthy increase in per capita income and a relatively low unemployment rate for its residents (Metropolitan Planning Commission, June, 1972).

On an impressionistic scale of nice places to live, Nashville would rank high among American cities, possessing both "urbane" and "country" virtues.

As a system of urban government, Nashville's consolidated city and county — metropolitan-government has received a remarkably uncritical treatment in published materials. The drama of the unsuccessful 1958 referendum to adopt a unitary metropolitan government and the success of the 1962 referendum tends to dominate the literature. In 1962 Roscoe Martin developed a systematic classification of the methods of local government adaptations in metropolitan areas. The numerical ordering of the sixteen types of adaptation identified by Martin reflects the level of complexity and degree of structural change, i.e., Martin explicitly notes (1963, p. 3): "each succeeding method in normal circumstances would appear to edge a little nearer to an outright metropolitan solution to the area's problems of government."

The consolidated government of Nashville-Davidson County is ranked fifteen on Martin's scale, and that kind of status as "nearer to an outright metropolitan solution" has tended to be reflected in published materials on Nashville's Metro — the assumption of "it has to be better" is implicit in almost all the research that has appeared on Nashville's Metro.

In one sense, the passage of the decade of the 1960's has tended to downgrade unitary metropolitan government as a viable alternative for most metropolitan areas; but Nashville's Metro's radical departure from the traditional structure of local government and its decade of existence are compelling reasons to attempt to understand the relationship of political structure and governmental performance in metropolitan areas from Nashville's experience.

The developmental history of the metropolitan area centered on Nashville, Tennessee, is a fascinating example of the process of metropolitanation and the structural

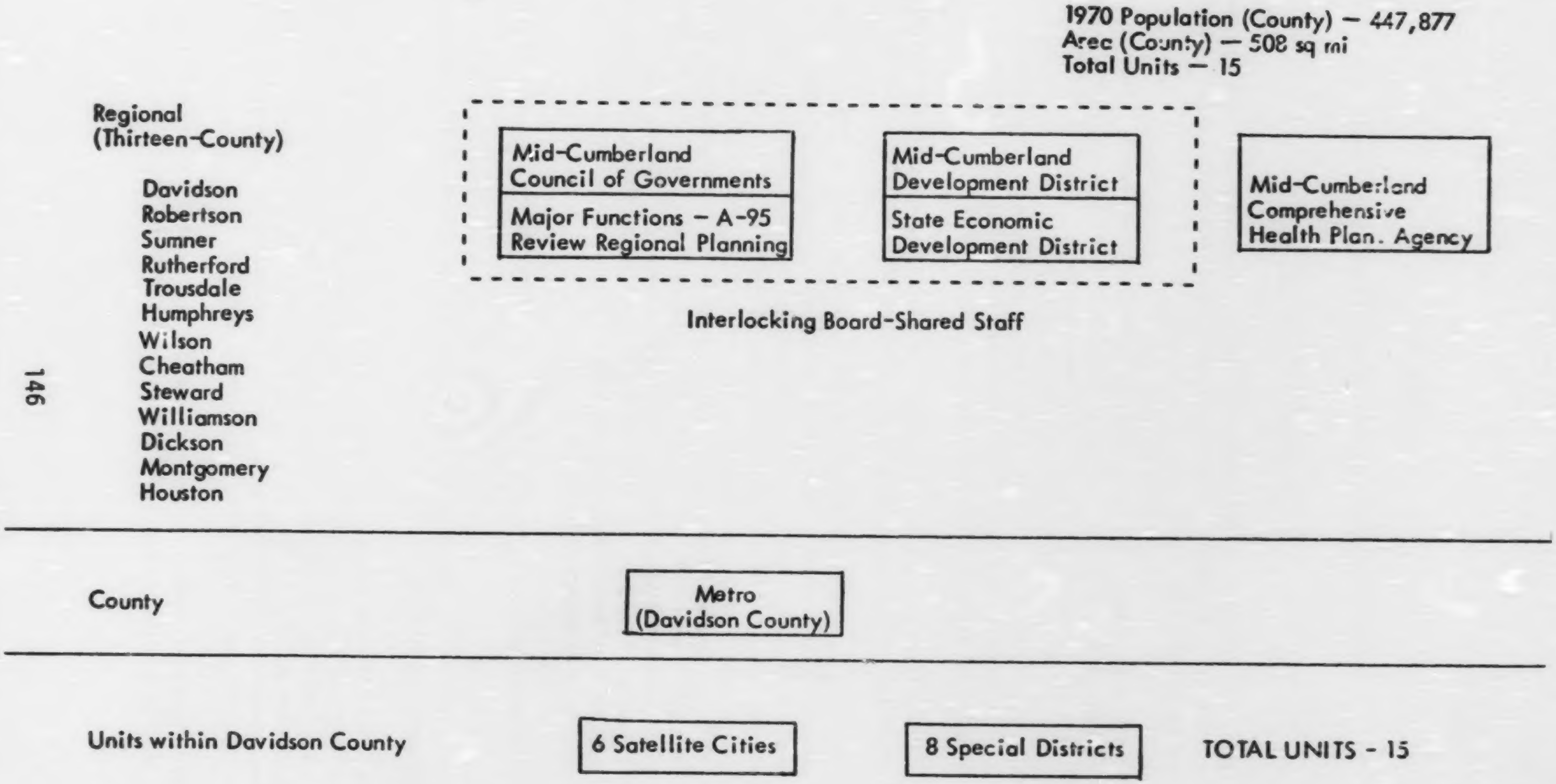

1970 Population (County) — 447,877
Area (County) — 508 sq mi
Total Units — 15
Regional
(Thirteen-County)
Davidson
Robertson
Sumner
Rutherford
Trousdale
Humphreys
Wilson
Cheatham
Steward
Williamson
Dickson
Montgomery
Houston
Mid-Cumberland
Council of Governments
Major Functions – A-95
Review Regional Planning
Mid-Cumberland
Development District
State Economic
Development District
Mid-Cumberland
Comprehensive
Health Plan. Agency
Interlocking Board-Shared Staff
County
Metro
(Davidson County)
Units within Davidson County
6 Satellite Cities
8 Special Districts
TOTAL UNITS - 15

Fig. 19. Governmental Characteristics — Nashville and Davidson County, Tennessee

capacity of political institutions as they affect and are affected by that process. During the last decade metropolitan growth has moved beyond the boundaries of metropolitan government in Davidson County into contiguous counties.

Prior to 1962 Davidson County was a single-county SMSA. In 1962 Sumner and Wilson counties were added to the Nashville SMSA. In 1973, Cheatham, Dickson, Robertson, Rutherford and Williamson counties were added to the retitled Nashville-Davidson SMSA, creating an eight-county SMSA (U S Office of Management and Budget, Executive Office of the President, June, 1973, p. 197).

Table 10 indicates population distribution and trends within the eight-county Nashville-Davidson SMSA. Davidson County clearly dominates as a population center. But the rate of increase is greater in the suburban counties of the metropolitan region, with Davidson County in a position of relative loss in its percentage share of the total population of the SMSA, replicating the pattern or urbanization in the United States of spread and sprawl, growth outward from the urban core.

However, the significance of the Nashville metropolitan area is that the process of metropolitanization during the last decade has not occurred within the traditional framework of fragmented local governmental jurisdictions. The core of the Nashville-Davidson SMSA is not the traditional central city, but a significant example of a successful reform effort to achieve metropolitan government.

Certainly the population governed by Metro (447,877 in 1970) is smaller than that of many of America's major cities. The significance of Nashville's Metro is partly in its geographic jurisdiction of 507.8 sq mi (U.S. Bureau of the Census, City and County Data Book, 1972), although there are municipal governments that have pursued an aggressive policy of annexation which have comparable areal capacity (Oklahoma City, Oklahoma — 635.7 sq mi; Houston, Texas — 433.9 sq mi, Kansas City, Missouri — 316.3 sq mi).

The political meaning of Nashville Metro is only marginally indicated by its geographic boundaries or the number of people it serves: Metropolitan government has long been a goal and object of controversy as the dynamic process of metropolitanization occurred in juxtaposition to the relatively rigid structure of local governmental jurisdictions. Nashville Metro is a dramatic development in local government structure that has served as a prototype for the decade of its existence.

The origins of Metro have been the object of study for social scientists, and there are a number of comprehensive appraisals of the reform experience (Elazar, 1961; Booth, 1963; Hawkins, 1966).

Brett Hawkins' work is the most recent developmental history of metropolitan reform in Davidson County, and it is his research effort that provides the essential framework for subsequent studies of Metro. The following section is a summary drawn from the detailed presentation of the origin of Nashville Metro presented in Hawkins' study.

Table 10

Nashville-Davidson SMSA — Population and Projections

County	1950 (1)	1960 (2)	1970 (3)	1960-1970 % change (4)	1980 (5)	1970-1980 % change (6)	1990 (7)	1980-1990 % change (8)	2000 (9)	1990-2000 % change (10)
Cheatham	9,167	9,428	13,199	40.0	16,400	24.3	20,300	23.8	24,800	22.2
Davidson	321,758	399,743	447,877	12.0	505,600	12.9	575,000	13.7	649,750	13.0
Dickson	18,805	18,839	21,977	16.7	24,800	12.8	28,500	14.9	32,350	13.5
Robertson	27,024	27,335	29,102	6.5	35,000	20.3	42,500	21.3	51,000	21.4
Rutherford	40,696	52,368	59,428	13.5	71,000	19.5	88,000	23.9	104,000	18.2
Sumner	33,533	36,217	56,284	55.4	72,600	29.0	86,000	18.5	103,200	20.0
Williamson	24,307	25,267	34,423	36.2	44,600	29.6	56,400	26.5	71,600	27.0
Wilson	26,318	27,668	36,999	33.7	47,900	29.5	57,600	20.3	71,400	24.0

Source: Adapted from: Mid-Cumberland Council of Governments and Economic District, Preliminary Development Plan 1972-2000, April 15, 1972.

Columns (1), (2), (3), (4) data from U.S. Census of Population, 1950, 1960, 1970. Columns (5), (6), (7), (8), (9), and (10) estimates based on information from the Office of Business Economics, Environmental Protection Agency, August, 1971, and Revised Population Projections for Nashville-Davidson County and the Metropolitan Region, Metro Planning Commission, October, 1971, and a joint meeting of the Tennessee Valley Authority, Tennessee Planning Commission, and Tennessee Development Districts, December 6, 1971.

Pre-Reform Nashville and Davidson County

Hawkins (1966, p. 17) presents in tabulated form the population differentials that existed between the city and out-of-city Davidson County areas from 1900 to 1960, reproduced as Table 11.

Table 11

Population of Nashville Standard Metropolitan Statistical Area, by Central City and County Outside: 1900-1960

Year	Nashville	Davidson County Outside
1900	80,865	41,950
1910	110,364	39,114
1920	118,342	49,473
1930	153,866	68,988
1940	167,402	89,865
1950	174,307	147,451
1960	170,874[a]	228,869

Source: Bertil Hanson, A Report on Politics in Nashville (Cambridge: Joint Center for Urban Studies of M.I.T. and Harvard University, 1960), Chap. I, p. 1.

[a] Including 4,587 persons annexed in 1959. The legality of this annexation, however, had not been settled by the courts at the time of the 1960 census. At that time the city occupied 23.3 sq mi.

The population profile indicates the kind of service problems that are endemic to the spread of the urbanized area. One aspect of Nashville's pre-reforms circumstances are in the substantive problems in serving people needs for fire and police protection, schools, sewers, etc., as people move beyond municipal boundaries. Another aspect is the institutional arrangements of the local governments in the delivery/non-delivery of the needed urban services. The assumption of the metropolitan reform movement in Nashville (as elsewhere) was that the substantive problems of lack of sanitary sewers, etc., would yield to the organizational logic of reformed governmental institutions. Structure-capacity-performance were assumed to be linked positively, if not absolutely, in reform expectations.

The political diagnosis of the metropolitan problem was summarized by Roscoe Martin in his 1963 study of metropolitan areas (p. 103): "Nashville in 1951 was really two cities. One was the economic and social community of over 300,000 persons living in an area of some 125 sq mi. The other was the corporate city, consisting of slightly more than half that number living within an area of only 22 square miles."

During the decade of the 50's the governmental structure within Davidson County became the object of study and concern. Although Davidson County contained relatively few units of government (15) prior to consolidation "there was no areawide instrumentality to handle areawide problems until 1962" (Hawkins, 1966, p. 23).

The governmental units of Davidson County prior to consolidation in 1962 included: one county, seven municipalities, and seven special districts (six utility and the Nashville Housing Authority).

Numerically, the adoption of Metro didn't substantially decrease the governmental units in Davidson County. The 1967 Census of Governments listed 13 units: seven municipalities (including Metro), and six special districts. The 1972 Census of Governments, again, counts 15 units in Davidson County: seven municipalities and eight special districts, two being added since 1967.

However, the numbers tend to mask Metro's dramatic accomplishment in governmental reform.

The six "satellite cities" that appear in the census count have retained their separate identity under Metro but are not particularly significant in terms of the delivery systems of local government services. The satellite cities and their 1960 populations are listed in Table 12. The satellite cities' boundaries in Davidson County were "frozen" by the adoption of Metro, that is they cannot annex. However, Goodlettsville, in northeastern Davidson County has moved to annex contiguous land in Sumner County. The City of Hendersonville in Sumner, also wants to annex the land, and the resulting dispute has involved the argument that if Goodlettsville surrenders its charter and merges with the USD, part of Sumner County would be "annexed" by Davidson County Metro.

Table 12

Davidson County Satellite Cities

	Year Incorporated	Area Sq Miles	Population 1960 Census
City of Belle Meade	1938	2.80	3,082
City of Berry Hill	1950	.87	1,551
City of Forest Hills	1957	9.47	2,101
City of Goodlettsville	1958	6.43	3,163
City of Lakewood*	1959	.95	1,896
City of Oak Hill	1952	8.37	4,490

*Incorporated as Dupontonia. Name change voted in 1962.

The continued existence of the six satellite cities may have some symbolic meaning in their refusal to yield to the unitary logic of Metro by surrendering their charters and receiving all of their needed services from Metro. (The satellite cities are included in the area-wide programs of Metro, but remain separate from the "Urban Services District" which provides "city-type" services of fire protection, garbage collection, etc.)

But the institutionalized conflict present in Dade County, Florida between the county and municipalities does not exist in Davidson County simply because the satellite cities contain such an insignificant percentage of the population that they can safely be ignored by Metro. (And apparently by the Bureau of the Census, since our attempts to locate specific population figures for the satellite cities in 1970 census publications was unsuccessful, although the 1972 Census of Governments indicates that one of these six municipalities has a population in the 5,000 to 9,999 range, three are in the 2,500 to 4,999 range, and two are in the 1,000 to 2,499 range).

The cities of Goodlettsville and Lakewood were incorporated after the defeat of the 1958 consolidation proposal. Typically, state laws make incorporation relatively easy, annexation relatively difficult. The gap between developed areas in need of urban services and the constrained areal capacity of a central city to deliver those services usually results in a central city hemmed in by growing numbers of incorporated suburbs. Nashville's static geography is explicable on the basis of restrictive state laws requiring consent of the annexed population, as much as the city's failure to annex the urbanized fringe. And as subsequent events in Davidson County were to demonstrate, central cities tend to be "damned if they do and damned if they don't" in annexation policy-decisions.

Incorporation activity has come to be deplored in metropolitan areas as causing fragmentation, that is expressing a defensive separatism mentality on the part of the suburban populations. However, incorporation can also express perception of service needs and the willingness to organize and contribute tax monies to a local government to provide those services.

Of the six municipalities that incorporated outside of Nashville, two did so after the threat of consolidated government in 1958, and three incorporated to gain zoning power to protect their exclusive residential quality (Hawkins, 1966, p. 23).

Daniel Grant (1966, p. 221) theorized that the failure of Nashville to annex removed a threat to the urbanized fringe that might have motivated incorporation, which would have made Metro more difficult to achieve, a somewhat back-handed compliment to the city's government in aiding the reform effort. But that is a difficult position to understand since until a 1955 change in state law, suburban residents were protected from being unwillingly annexed, with a referendum required to approve the annexation; nor have other fringe areas surrounding cities that had a "no-annexation" policy displayed a similar disinclination to incorporate; for example, this was not the case in the St. Louis, Detroit, or Seattle areas.

Incorporation as an expression of problem-solving behavior to provide urban services appears to have been almost nonexistent in Davidson County prior to consolidation. It is well to keep in mind that dispite substantive problems prior to consolidation, there is little evidence that the consumers of public services in Davidson County were aroused to demand a more rational system of local government's delivery of services. The substantial degree of urbanization in the absence of incorporation and the failure of the 1958 referendum vote suggest that the residents of Davidson County remained skeptical of the utility of changing the structure of local government to meet citizen needs.

Substantive problems in Davidson County prior to reform provide a fixed point measure from which the effect of metropolitan reform can be (crudely) measured, since the rationale for reform was based on improved services, as well as other more subjective values.

The literature is agreed on the problems that existed in the Nashville area. There is substantial agreement that the lack of sanitary sewers was the number one problem. A health (environmental) problem because the lack of an area-wide sewer system resulted in the reliance on septic tanks in Davidson County and the concentration of limestone on or near the surface of the area's soil reducing the capacity of the soil to absorb sewerage (perculate) made the use of septic tanks especially undesirable in the urbanized areas.

The lack of a sewerage system was also perceived as an economic problem, preventing Davidson County from attracting industrial development in unsewered areas. Obviously, sewers can and have been developed in suburban areas in the absence of one area-wide government, often through the creation of special districts. However, it was not until shortly before the second vote on consolidation in 1962 that the special district was used to provide sanitary sewers in an unincorporated area of Davidson County (Madison). As another way, short of consolidation, of sewering the out-of-city areas, Brett Hawkins' study noted that proponents of consolidation feared that the county's Madison Sewer District would weaken the pro-consolidation sentiment of suburbanites seeking sewers (Hawkins, 1966, p. 78).

It was not solely governmental service problems that motivated Davidson County reformers, but also the conviction that there was a preferable governmental structure to provide those needed services. In common with many reform movements, pro-reform sentiment operated at a level of political abstraction that has seldom struck a responsive cord with a majority of metropolitan area residents in numerous referendum campaigns to restructure local government.

The philosophical diagnosis of the governmental problem in Davidson County was that the existence of a city and a county government resulted in conflict and duplication, that created a structurally intolerable governmental setting which precluded the development of an appropriate governmental response to urbanization.

There is evidence to suggest that service problems in public safety functions, sewer and water systems, the dual school systems, etc., were subsidiaries of the central ideological argument — that one government was more rational than two governments. That unitary ideology did not prove persuasive in the 1958 referendum, which tended to operate at the abstract level of the presumed benefits of a metropolitan structure for the citizenry of Davidson County.

The recitation of problems is very similar for metropolitan areas in the United States. What is atypical in the Davidson County experience was the dovetailing of the abstractions of metropolitan logic as a solution to problems with the gut level sentiments of metropolitan residents in reaction to events in the 1958-62 interim. The perception of a city-county dichotomy in the metropolitan area in reform theory was dramatized in the 1958-62 span, at least partly as an outgrowth of reform strategy. The inertia of the status quo in Davidson County was successfully assaulted by reformers, but the success of the second referendum was more of a political happening than a rational, planned cause-effect relationship between reform activities and voter reaction. The goal of reform, and the decision of the voters, was to replace two institutions of local government with one. The county and city governments were not only the object of reform but important role-players in the drama of the reform years.

The City of Nashville and the County of Davidson

The government of the City of Nashville prior to consolidation was based on a strong mayor-council charter adopted in 1947. The mayor had reasonably strong formal powers in his ability to appoint the directors of the twelve city departments, members of the city's various boards, etc. The mayor was elected to a term of four years and operated in the institutionalized executive-centered system.

The Nashville city council consisted of 21 members, 20 elected from single-member districts, and the vice-mayor who was elected at-large.

First elected to the mayor's office in 1951, Ben West was mayor of the city during the period of reform activity, and remained in office to become the last mayor of Nashville.

West was a strong mayor in both the formal and informal sense. He had an image of dynamic urban leadership, (sometimes referred to as a machine) that made him a spokesman for the urban point of view. West had been president of the American Municipal Association, was a litigant in the landmark Baker v. Carr state reapportionment case and had a political record of a liberal, pushing for urban renewal programs and increased state and federal aid to cities.

Davidson County's government was the typical "horse and buggy" county judge-county court variety which hadn't been reapportioned and over-represented rural districts. The county system combined administrative-legislative functions in the fifty-five member Quarterly Court which was elected from 16 civil districts in the county.

The formal authority of the office of the County Judge in this system was not comparable to the powers of the mayor's office, but the County Judge occupied the highest office in county government, and had comparable political status.

First elected in 1950, County Judge Beverly Briley held that office during the reform years, and was elected as the first mayor of Metro in 1962 (and has subsequently been re-elected, now serving his third four-year term as Metro mayor).

Briley's image was more conservative than West's. Briley possessed a suburban orientation (not surprising in view of his constituency); but in comparison to the traditionally rural orientation of county government, Briley had a "progressive conservative" image and a concern for improvements in governmental operations that generally earned him high marks in his performance as the county's political leader. Neither Davidson County nor the City of Nashville could be said to be suffering from inept political leadership during the decade that preceded reform.

City-County Relations

The so-called private act is a recurrently decisive factor in the reform effort in Nashville. The somewhat capricious effect of southern state legislatures intervening in local policy-making by applying state legislative acts to specific areas (a county or city within the state) has been generally deplored in political science literature. But it does create, in some respects, stronger intergovernmental channels between the state and local levels than the more formalized political relationship of home rule counties and cities and state legislation based on classification of local governments or uniform law. The private acts passed by the Tennessee General Assembly may be bulky and confusing, but the importance of the private act in the developmental history of metropolitan reform in Nashville cannot be denied — and the effect was largely beneficial to those seeking reform. The role of the Davidson County delegation to the state legislature with that delegation's power to introduce and secure passage of crucial local-effect state legislation doesn't fit the rational model of those calling for more aggressive state action in metropolitan problems, but it is doubtful that the reform effort could have moved beyond some of the stalemate points had it not been for the existence of the private act in Tennessee state government.

By the late 1940's civic concern for the metropolitan area was growing in Davidson County. The Community Services Commission for Davidson County, created by a 1951 private act, was to investigate the service needs of area residents, and suggest methods for local government to meet those needs. Created through state action, funded jointly through county and city funds, the work of the commission provided the framework within which reform efforts would be conducted in the years preceding Metro's adoption in 1962.

Essentially the problem being addressed by the Commission was the urbanized area that had spread beyond city government, an area of about sixty-nine sq mi and 90,000 people in 1952.

Pragmatically, the Commission recommended that Nashville annex this area, since this appeared to be a more feasible approach than consolidation.

Tennessee law governing annexation allowed two methods of expanding municipal boundaries: by private act of the legislature or by a petition and affirmative referendum in the area to be annexed. The recommendation of the Commission was that the Davidson County legislation use the device of the private act to (1) conduct an advisory referendum on the issue of annexation that would combine the votes of residents of the city and the area to be annexed; (2) implement the annexation by private act in the Tennessee General Assembly. (Such a private act would require a unanimous vote of the Davidson County Delegation.) The strategy was shaped by the expectation that the single-majority advisory referendum would result in overcoming the expected anti-annexation votes of the suburban areas with a heavily pro-annexation vote by city residents.

Annexation was the heart of the Commission's proposal — the most pragmatic approach in solving the service gap that existed in the suburban areas.

The Commission also identified the need for some services to be administered area-wide by the county — public health services, hospital care for indigents, public schools, and public welfare. The Commission also recommended that Davidson County be redistricted to provide equitable representation to the urban residents of the county on the Quarterly Court.

Consolidation received favorable comment in the report, but the state obstacles seemed to rule out that possibility for Davidson County. Specifically those obstacles involved a Tennessee Constitutional provision for a uniform tax rate in the county, when the mix of exurban and urban population would make uniformity clearly unworkable in a "one government" system. In addition, the traditional role of the county as an administrative subdivision of the state, with state mandated officials, would further complicate restructuring county government to assume unitary powers as a "metropolitan government."

The annexation proposal was never acted upon by the Tennessee General Assembly, the only immediate application of the Commission's activities was that the city transferred the city health department and the city juvenile court to Davidson County.

Subsequent state legislative action did provide some actions of fundamental importance to the development of metropolitan government in Davidson County.

In 1953 the Tennessee Constitution was amended in a state-wide referendum to allow the consolidation of any or all of the functions of cities and counties after an affirmative referendum by both city and county residents (concurrent majorities). This was not a "self-executing" amendment, i.e., it required enactment in Tennessee statutory law to become operational, but it was a "milestone" in creating the potential for consolidation.

Through lobbying efforts of the Tennessee Municipal League, in 1955 a Tennessee statute created a significantly different annexation law for municipalities, allowing annexation to occur by means of enactment of a municipal ordinance, without a referendum, subject only to court review. (Later amended to require the municipality to have a plan for extending services to the annexed area.)

Meanwhile, in the early '50s, some action-oriented leadership began to mobilize in Davidson County. The Nashville Chamber of Commerce had established by 1955 a group that was focusing on "metropolitan" issues. The Chamber decided it would be helpful to conduct a formal study of metropolitan problems and issues in Davidson County and sought to broaden their internal efforts by approaching both the city and county planning commissions.

Since many planners were members of the Chamber, the origins and sequence of events are not as clear as they would appear to be by stating that the Chamber of Commerce approached the planning commissions with the idea of studying the governmental needs of the Nashville area.

And that kind of unclear cause and effect sequence occurs rather frequently in the Nashville Story. While it is possible to recite the events leading to consolidation, there is actually no clear sequential pattern that explains metropolitan reform.

It is more useful to visualize the events of the decade that preceded reform in Nashville as a cluster of some number of entertwined, three-dimensional spheres, rather than sequential "links in a chain" that led to reform.

The Davidson County and Nashville planning commissions had employed a joint staff for some years, and in 1953 an "Advance Planning and Research Division" was established. It was this division that was given the responsibility of conducting the study of area governmental needs in 1955.

During 1955 the Advance Planning Division was engaged in a number of overview kinds of studies of the metropolitan area for the two planning commissions.

One of the studies was conducted by engineering consultants on the problem of providing sanitary sewers. The tentative recommendation of the consultants was to create a special district.

Concurrently, the planning group was engaged in a study of the structure of government in Davidson County.

Hawkins, in his recitation of events leading to consolidation stresses the "Machiavellian strategy" of five "technocrats" (1966, pp. 39-40). These five men were the Director of the Advance Planning Division, the Executive Director of the two planning commissions, the Research Director of the Division, and as consultant, a political scientist from Vanderbilt University.

This group rejected the idea of a special district to provide sewers, from a mixture of motives — ideas on the special district as adding to fragmentation, as being removed from democratic control, and a determination that halfway measures that satisfied public service needs would hinder the structural solution to which they had become committed.

The experience of other metropolitan areas in which "half-way" measures create a system of complimentary delivery of services by city and county governments makes questionable the assumption that a county and a city government get in the way of the delivery of public services, but the ideal of a unitary metropolitan government in Davidson County became more important to reformers than more mundane efforts to improve services, short of consolidation. In our opinion, the strategy developed by the planning group was in the realm of allowing (even encouraging) disequalibrium in the status quo system of government so that change could be introduced to rectify the two government dichotomy.

Hawkins is explicit in noting that part of the strategy developed by the planning group involved their need to secure the approval of the area's two political leaders, Briley and West; an obvious goal because both men were members of the respective planning commissions who must approve the report, and in addition with the expectation that their political support would be vital to a successful referendum campaign.

Knowing that Mayor West preferred annexation and Judge Briley consolidation, the report issued in 1956 endorsed annexation for short-term utility, but consolidation as the ultimate goal of creating a governmental structure capable of providing needed services. A related aspect of the strategy was in the subjective expectation of the strategists that each of the two political leaders would assume that his goal was the more attainable of the dual strategies. Hawkins' study clearly assigned a major role in the events leading to reform to the strategy decisions of this group.

The *Plan of Metropolitan Government for Nashville and Davidson County — A Report of the Nashville City and Davidson County Planning Commissions*, issued on October 30, 1956, is a tightly constructed exercise in governmental logic which provided the basic structural elements of Nashville Metro. But the behind the scenes activities are perhaps more relevant to an understanding of the politics of the adoption of Metro than is the document itself.

The Politics of Adoption

A stage center role in any appraisal of local politics is occupied by Nashville's two newspapers, the *Banner* and the *Tennessean*. It is difficult to sort out the folklore surrounding the power of the *Banner* and *Tennessean* from actual influence. Nashville area residents appear convinced that the publishers of the two papers control or try to control politicians, local decision-making, etc. But at the same time there is a cynicism in warnings that "you can't believe a word you read" in the *Banner* or *Tennessean*. It is difficult to understand just what effect this combination of "credibility gap" but acknowledged influence of the two newspapers has on the outcome of specific issues, but the Banner and the Tennessean are, by consensus, important participants in, as well as observers of, the local political process.

The Banner is the older, and generally more conservative of the two. But the Banner was considered to be in the political camp of Mayor West, whereas the Tennessean was allied with Judge Briley.

When the plan was released in 1956, copies of the report were carried in both papers.

The plan included a reform scenario, that was to be followed with relative ease, up to the 1958 referendum. However, voter reaction in the 1958 referendum did not follow the scenario when Metro failed to achieve the required concurrent majority. The first order of business was to enact statutory law to implement the provisions of the 1953 consolidation amendment to the Tennessee constitution. This effort was successful in 1957, through the commitment of the Davidson County delegation, a successful alliance with the urban counties containing Memphis and Knoxville, and some reassurances to the rural counties.

The 1957 state consolidation law applied to counties of 200,000 population or more (since amended to remove the population requirement) and provided for the dissolution of city and county governments, to be replaced by a new entity — a "metropolitan government."

The Tennessee law provided for the establishment of a charter commission after resolutions to that effect had been passed by the county and city governing bodies. The state law, at some length, specifies procedures to be followed by the charter commission and establishes some premises for the structure of the metropolitan government, one of which was a tax/service differential between a general services district and an urban services district.

The obvious task of the charter commission created in 1958, was to draft the legal instrument that would be voted upon in a referendum by voters of the county and city as the basis for a new structure of local government. An equally important function of the commission was to reach out and gather the political resources of the community in support of Metro.

One of the most sensitive (and least discussed) issues in the Nashville area is racial relations. By the late 1950's the black population, concentrated in the City of Nashville, comprised some 38% of the city's population. The implications for black political power tended to be a submerged issue, but the involvement and approval of black political leaders was sought by reform leaders.

Racial relations never became a publicly discussed issue in either of the referenda campaigns, and the effect of the adoption of Metro on the interests of Nashville's black community remains a subject of controversy (Erie, Kirlin & Rabinovitz, 1972, pp. 28-20; Grant, Sept 1965, pp. 51-53). However, the racial climate of the 70's in Nashville is probably more polarized than it was during the period of reform.

That is not to say that it is necessarily worse, but that black consciousness, in Nashville as elsewhere, is a more restless force now than it was in the 1958-62 period.

Metro officials are quoted in Business Week (September 25, 1971, p. 133) as doubting "that a consolidation plan, if it were offered today for the first time, would succeed in Nashville, where the black population has grown to 40% of the old city."

But the reform movement of a decade ago was successful in co-opting sufficient black support for Metro so that the campaigns were not marked by black-white conflict. An important element of the co-optation was in the charter commission drawing districts of representation in Metro to assure blacks of five seats on the Metro legislative body.

In 1958 both major political leaders and their political organizations supported the adoption of Metro. The business community, League of Women Voters, the Trades and Labor Council, many university professors, many of the recognized black community's leaders, and various groups with an interest in good government lent their support to Metro.

Contrary to the accepted practice of assuming opposite sides of almost any issue, both the Banner and the Tennessean supported the adoption of Metro in 1958.

The "establishment" was solidly behind Metro, and the 1958 campaign was a classic example of metropolitan reform activity in the United States; with the reformers concentrating on the presumed benefits of Metro, and the opposition apparently not as well organized, nor as logical as were the proponents of change (Hawkins, 1966, pp. 46-57).

However, in 1958, Metro was passed in the city, but not in the county, failing to achieve the necessary concurrent majorities.

In the wake of the defeat of Metro, Nashville moved immediately to annex seven sq mi of industrial land outside the city limits. It was widely assumed that residential annexation would follow, but Mayor West pledged that while industries didn't have votes residents of proposed areas to be annexed would have that right respected by his administration.

Supporters of Metro in 1960 tried to revive the charter commission by resolution of the county and city governing bodies. In contrast to the referendum vote of 1958, the county favored another Metro charter commission, but the city council refused. This was perhaps the inevitable result of the annexation/consolidation strategy, now viewed in either/or terms.

The city council having decided against reviving Metro, in 1960 annexed (by ordinance) forty-two square miles of territory containing some 82,000 people.

Having publicly espoused a policy of no annexation of residential areas without a vote, Mayor West vetoed the annexation, but the veto was overridden by the council. Since the city government was assumed to be run by the West machine, the overriding of West's veto only served to compound the out-of-city public hostility toward annexation.(Both the industrial and residential annexations were challenged in the courts, but were eventually sanctioned by the Tennessee Supreme Court.)

It is the period of time between the 1960 annexation and the 1962 referendum that witnessed the much discussed city-county dissension. The schools, the roads, and the applicable tax rate in the annexed area all became subjects of controversy between the city and county governments.

Some of the literature on Nashville's Metro implies that the city was unwilling or unable to extend services to the annexed area (Duncombe, 1966, p. 197; Nation's Cities, Nov, 1969, p. 29; Martin, 1963, p. 109).

What is controversial was whether the annexation was systematic and planned; there is no question that the city government did act to provide urban services. Within six months the annexed area elected council members, and 5.5 million dollars in general obligation bonds were issued to finance the extension of sewer trunk lines into the area. The city also began providing police and fire protection and garbage collection.

But the institutional imperialism of the city and the apparent political manipulations of the West administration obscured any rational appraisal of the effect of the city government expanding its geographic boundaries from a nucleus of approximately 25 sq mi to 75 sq mi.

Proponents of Metro, blocked by the city council's refusal to concur in the creation of a second Metro charter commission, sought to gain state legislative action to amend the General Act of 1957's method of creating a charter commission.

In the 1960 primary campaigns, Metro was an issue in the selection of Davidson County state legislative candidates and county officers, with pro-Metro candidates generally winning office.

In 1961 the Davidson County delegation was successful in getting the Tennessee General Assembly to pass an amendment to the 1957 law to permit the creation of a charter commission by means of the state's private act route, in addition to concurrent resolutions of the two governing bodies.

The private act then was introduced by the Davidson County delegation and passed by the legislature. This private act (applicable only to Davidson County) required approval either by the two local governing bodies or a referendum of city and county voters.

In August of 1961 a referendum was held which achieved the required concurrent majorities of city and county voters for the creation of another charter commission. (Although the individuals comprising the ten-member commission, were specified in the referendum proposal and except for two replacements appointed by the County Judge and Mayor were unchanged from the first commission).

The Metro Charter submitted to city and county voters in 1962 was essentially unchanged from the 1958 version (the most significant change increasing the number of council members), but the campaign environment was quite different from that of 1958.

The core of civic organizational support for Metro remained, but the two major political leaders, Briley and West, split on the issue, with West now opposing consolidation.

The 1962 campaign was to be much more lively, with the Banner opposing consolidation and the Tennessean supporting it. The two papers went all out in the campaign, and their political position on Metro was not entirely confined to the editorial page.

The Tennessean played a muckraking role in the second campaign, attacking the city government and the West machine at every opportunity. The Banner supported the position of West in defending annexation and opposing consolidation. There is little doubt that newspaper coverage of the second campaign made for more exciting reading than in the 1958 campaign.

The second campaign was shaped by the political climate of city-county dissension and suburban perception of city government not as provider of services but as aggressor in unilaterally imposing its rule on an unwilling fringe population through annexation.

The second referendum, expanding on what is assumed to be a base of affirmative votes from the 1958 referendum, is interpreted as having reversed the traditional anti-city-attitude equals a no-vote-on-consolidation equation of referendum politics. In 1962 the anti-city votes were counted in the favorable votes for Metro. Voter attitudes were influenced by numerous situational elements unique to the Nashville area. The irony is that the anti-metro vote outweighed the pro--Metro vote in the old city of Nashville, but the "fifth column" of newly-annexed residents voted heavily in favor of Metro, achieving the required concurrent majorities that formally dissolved the city government.

The Structure of the Metropolitan Government of Nashville and Davidson County

The charter of government adopted by the voters in 1962 (Metropolitan Government Charter Commission, April, 1962) created a strong executive form. The metro mayor is elected for a four year term (with a three-term limit) and has

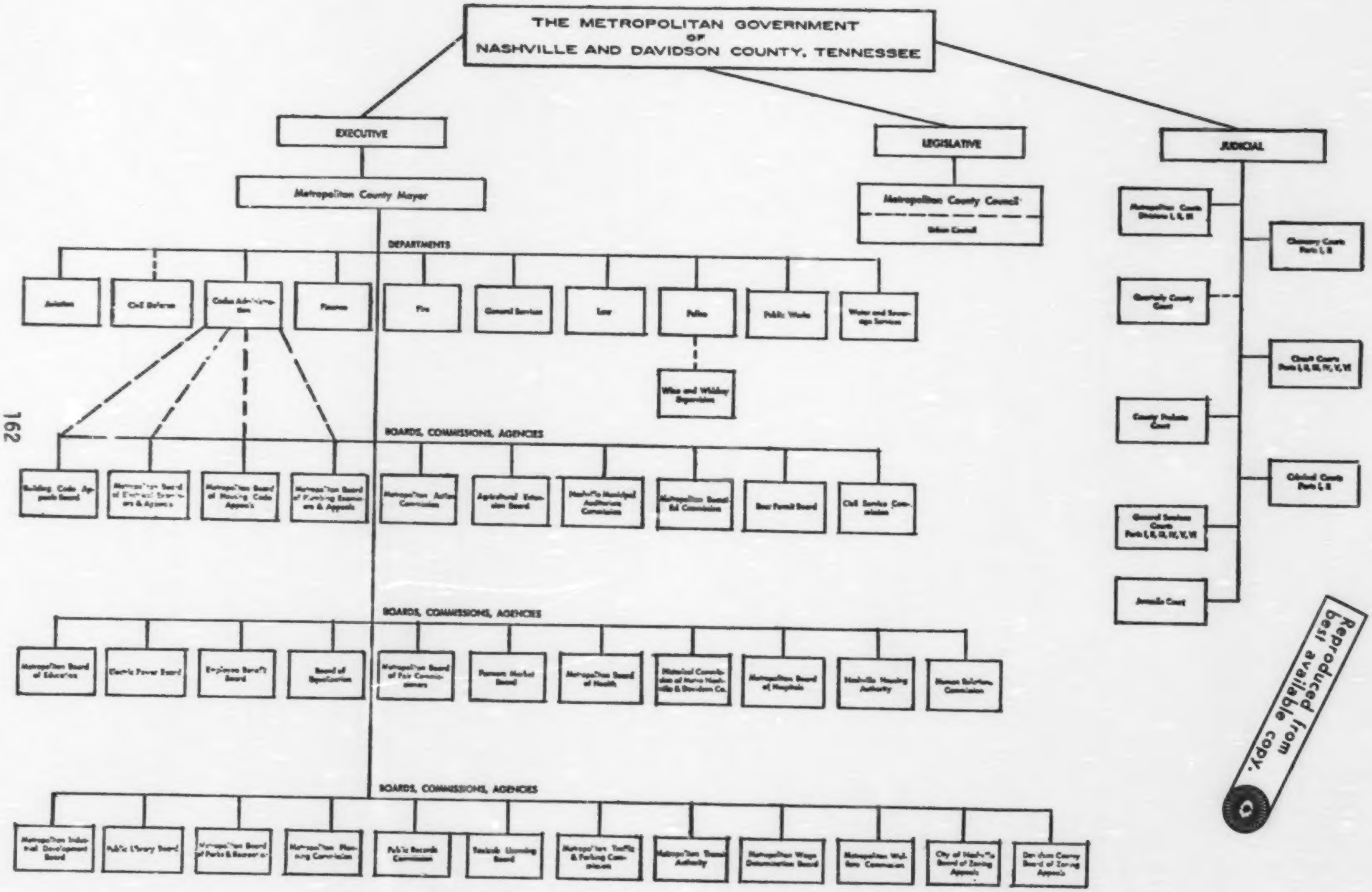

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE
EXECUTIVE
LEGISLATIVE
JUDICIAL
Metropolitan County Mayor
Metropolitan County Council
Urban Council
DEPARTMENTS
Aviation
Civil Defense
Codes Administration
Finance
Fire
General Services
Law
Police
Public Works
Water and Sewerage Services
Wine and Whiskey Supervision
BOARDS, COMMISSIONS, AGENCIES
Building Code Appeals Board
Metropolitan Board of Electrical Examiners & Appeals
Metropolitan Board of Housing Code Appeals
Metropolitan Board of Plumbing Examiners & Appeals
Metropolitan Action Commission
Agricultural Extension Board
Nashville Municipal Auditorium Commission
Beer Permit Board
Civil Service Commission
BOARDS, COMMISSIONS, AGENCIES
Metropolitan Board of Education
Electric Power Board
Employee Benefit Board
Board of Equalization
Metropolitan Board of Fair Commissioners
Farmers Market Board
Metropolitan Board of Health
Historical Commission of Metro Nashville & Davidson Co.
Metropolitan Board of Hospitals
Nashville Housing Authority
Human Relations Commission
BOARDS, COMMISSIONS, AGENCIES
Metropolitan Industrial Development Board
Public Library Board
Metropolitan Board of Parks & Recreation
Metropolitan Planning Commission
Public Records Commission
Taxicab Licensing Board
Metropolitan Traffic & Parking Commission
Metropolitan Transit Authority
Metropolitan Wage Determination Board
Metropolitan Welfare Commission
City of Nashville Board of Zoning Appeals
Davidson County Board of Zoning Appeals
Metropolitan Courts Divisions I, II, III
Chancery Courts Parts I, II
Quarterly County Court
Circuit Courts Parts I, II, III, IV, V, VI
County Probate Court
Criminal Courts Parts I, II
General Sessions Courts Parts I, II, III, IV, V, VI
Juvenile Court

Fig. 20. Organization and Functions — Nashville and Davidson County, Tennessee

Reproduced from best available copy.

broad powers in appointing department heads, members of Metro's various commissions and boards, preparing the budget, and veto powers over the legislative body (council).

The Metropolitan Council consists of forty-one members: a presiding officer, the vice-mayor, elected at-large; five council members elected at-large, and thirty-five elected from districts. The council functions as a legislative branch with general oversight responsibilities in connection with administration, and utilizes the committee system for various program areas, corresponding to the departments of Metro government. Council members serve four-year terms.

There are some residual independently elected county officials: The County (Metro) Trustee (who formally collects the property tax but under Metro actually is an anarchism with no utilitarian role); the Metropolitan Tax Assessor, and the Sheriff (who has no law enforcement role, but maintains the jail and work-house and is the process server). The structure of Metro government is graphically represented by the diagram on the following page.

The Metro Charter provides for separate tax levies and services within two districts. The Urban Services District (USD) which was the area of city jurisdiction at the time of the adoption of Metro (some 75 square miles including the recently annexed area), and the General Services District (GSD) which includes all of Davidson County. More services are provided in the USD and the tax rate is higher (the current levy is $4.11 per $100 of assessed value for all residents of Davidson County and an additional $1.89 for residents of the USD). The Charter provides for the expansion of the USD by affirmative vote of the council when the additional urban services are required and can be provided within one year. The services performed in the GSD and USD appear in Table 13.

In 1962 the Supreme Court of Tennessee ruled in favor of Metro in a case brought by opponents of Metro who questioned the constitutionality of Metro's creation and structure (Lewis Frazier, et al. v. Joe C. Carr, et al., Oct 4, 1962).

Nashville's Metro, having survived the broad court challenge of the 1962 case, has been more successful in avoiding the numerous legal challenges and mixed decisions that have confronted other metropolitan regions such as Dade County. (Currently the City of Goodlettsville is asserting its "constitutional right" as a chartered municipal government under Tennessee law to operate a separate school system. A lower court ruled against Goodlettsville, and the appeal is considered unlikely to reverse the decision.) In April of 1963, Metro became an operational unit of local government, "out of the crowd and ahead of its time" (U S News and World Report, Jan 3, 1972).

Table 13

Functions of the General Services District and the Urban Services District of the Metropolitan Government of Nashville and Davidson County, Tennessee

County-wide Functions of the GSD	Additional Functions of the USD
General Administration	Additional Police Protection
Police	Fire Protection
Courts	Water
Jails	Sanitary Sewers
Assessment	Storm Sewers
Health	Street Lighting
Welfare	Street Cleaning
Hospitals	Refuse Collection
Housing for the Aged	Wine and Whisky Supervision
Streets and Roads	
Traffic	
Schools	
Parks and Recreation	
Libraries	
Auditorium	
Airport	
Urban Redevelopment	
Planning	
Building Code	
Housing Code	
Transit	
Beer Supervision	
Fair Grounds	
Public Housing	
Urban Renewal	
Electrical Code	
Plumbing Code	
Electricity	
Refuse Disposal	
Taxicab Regulation	

Source: Advisory Commission on Intergovernmental Relations, *Substate Regionalism and the Federal System: Vol. II — Case Studies*, Robert E. McArthur, "The Metropolitan Government of Nashville and Davidson County," p. 29. Washington, D.C., May, 1973.

Evaluating Nashville's Metro

The functional areas most often cited as the problems which generated metropolitan reform in Nashville were: providing needed sanitary sewers; schools; police and fire protection. These services of local government were assessed as inadequate as a result of the structural incapacity of local government in Davidson County.

The cynic can observe that the substantive problems facing Metro today are. . . sewers, police and fire protection, and the schools.

But the "form and substance" difficulty is particularly acute in any attempt to evaluate metropolitan reform in Nashville. The pervasive rationality of the structure of Metro tends to obscure attempts to evaluate performance. While the sum of published materials on Nashville's post-reform experience is a positive appraisal, those appraisals suffer from a deficiency-endemic to metropolitan studies: "Adequate measures of the performance of metropolitan institutions do not exist, in part because study has focused more on promoting reform rather than assessing it. Furthermore, there are different interpretations for the observed effects of metropolitan institutional reforms. Each can lead to a slightly different conclusion" (Erie, Kirlin, and Rabinovitz, 1972, p. 37).

Interviewing local Metro officials, one is struck by their insistence that opinion surveys conducted immediately after the adoption of Metro (Grant, July, 1965) and in 1965 (McArthur, 1971) accurately reflect public satisfaction in 1973. The "presumption of excellence" for metropolitan government in Nashville appears to be cyclical, with the published studies suggesting a vastly improved system of local government and local officials both re-enforcing and being re-enforced in that very positive image of Metro. The last decade has been a particularly traumatic one for governmental institutions, measures of public confidence and acceptance established almost ten years ago are suspect, and there is little substance to the assumption that the citizens of Metro are "more satisfied" with local government than citizens of other metropolitan areas.

The consolidated police function in Davidson County has been widely hailed as a measure that professionalized and increased the efficiency of police services. Police scandals in the department of the City of Nashville provided fuel for the pro-Metro forces in the 1962 fampaign. Metro has consistently given law enforcement high priority in its budget decisions, with the program (including the courts) increasing from five million in the 1963-64 period to nearly twelve million in the 1971-72 budget year (Office of the Mayor, Metropolitan Government of Nashville and Davidson County, May 24, 1973, pp. I-20, I-21). By some measures, number of personnel, coverage of patrols, response time to calls for assistance, etc., there has been a dramatic improvement in police services. Early appraisals tended to emphasize "a lower crime rate" in Davidson County as one of the benefits of consolidation (Comer, 1969, p. 37). Positive appraisals tend to be reproduced and re-enforced, as researchers rely on previous assessments. The Citizens Study Committee on Metropolitan Problems of Milwaukee, Wisconsin (April, 1972, p. 19) reproduced a list of "accomplishments" of Nashville Metro during its first year that included:

"Centralized coordination of all police departments which has enhanced their public image and increased efficiency." Robert McArthur (May, 1973, p. 32) quotes 1965 FBI statistics to demonstrate the improvement in the consolidated police department.

In 1973 Metro's police department has become the subject of a Grand Jury investigation (with charges of drug trafficing by members of the force, illegal wire-tapping, graft, etc.), Nashville's black community has become increasingly critical of police behavior in their neighborhoods (and the controversies surrounding the death of two apparently innocent young black men), the chief of police came under heavy criticism for his insensitivity to civil liberties, and resigned in November of 1973, and the FBI crime statistics indicate an increase of 11 per cent in serious crime in Davidson County (The Tennessean, Feb 15, June 26, Oct 1, 10, 11, 25, Nov 29, 1973).

Metro's police department may be better than pre-Metro, but it is hardly an unqualifiedly successful example of how to police an urban area. Certainly the consolidated police department is itself an issue in the black community, with some organized black support for neighborhood control or influence in police activities.

Metro's fire department is generally free of the kind of controversy surrounding the police department (although there is a lawsuit pending charging discrimination in the hiring of blacks). But only residents of the USD pay for and receive fire protection from Metro. In the GSD private, subscription fire services still exist.

Fire protection remains something of an issue in Davidson County. Mayor Briley has indicated his support for a county-wide system, but the logistical problems of expanding the service and maintaining a rating high enough to produce reasonable fire insurance rates makes it unlikely that Metro will expand its fire protection beyond the USD (although some of the critics in Davidson County point to the consolidated government of Jacksonville-Duval County, Florida which does operate a county-wide fire department).

To further complicate the fire protection function there is some contracting with the Metro fire department by the satellite cities which adjoin the USD, and the issue was recently raised in the Metro council of Metro responding to calls in Berry Hill when residents of Berry Hill were not paying for fire protection. The council declined to pass a resolution directing the Metro Fire Department not to respond to any calls outside of the USD unless a contract existed. One issue raised in council was the possibility of a fire occurring in a 1,000-unit apartment complex outside the boundaries of the USD (The Tennessean, March 21, 1973).

The existence of "arbitrary" boundaries that impede the rational delivery of governmental services remains a problem in Metro that is particularly evident in the program area of fire protection services.

Metro's school system is not facing the "same old problems" (defined as two separate, uncoordinated systems in the county and city) but has new problems, in common with most urban educational systems. Metro's school system has become the center of the most intense local conflict as the politics of integration has obscured other educational concerns in Nashville.

Since 1970 Metro's school system has been struggling to implement a court-ordered desegregation plan that involves extensive bussing. The non-political functioning of the Board of Education has been seriously threatened by the issue of integration, as appointments to the Board are shaped by Metro Council's and the Mayor's openly stated opposition to a desegregation plan that threatens neighborhood schools. (The major local issue in the 1971 Metro elections was the forced integration of the schools.) There have been demands for the direct election of school board members .

There has been some back-lash associated with this issue creating anti-metro sentiment since it is assumed by many that the consolidated city-county school system made it easier for the federal judge to order desegregation without crossing political jurisdictions to do so.

The public image of Metro's school system has suffered from the controversy over bussing, from the point of view of both those supporting and those opposing the desegregation plan.

Interpretations can be placed on the experience of the Metro school system either to support the theory of metropolitan reform, or to question some of the implicit assumptions of that theory. (In the positive sense, the Metro structure has managed the conflict, the desegregation plan is being implemented; in the negative sense the necessity of the imposition of federal judicial power, and the reaction of Metro government in opposing bussing will not be reassuring to those who have doubts as to the fate of minority interests in a metropolitan government).

But more importantly, Metro's contemporary difficulties in its school system and police department, and the continuing fire protection difficulty, underscore the complexity of expectations placed on governmental institutions. "Economy and efficiency" are but one aspect of govemmental programs, one that tends to be overemphasized in evaluating metropolitan structures. But even by that one-dimensional measure, Nashville's Metro is not an unqualified success. Few appraisals of Nashville's Metro have indicated any gap between "structural capacity" (rationality) and "structural performance." But the assumption of a symbiotic relationship between the rationality of structure and real-world behavioral expressions of that rationality is not supported in the ten-year operational history of Metro.

Mass transit discussions in Davidson County tend to focus on technical considerations of traffic congestion in downtown Nashville, and the social issues involved in an adequate urban transit system to serve the urban poor, who are less likely to be able to afford cars (Tennessean, Sept 20, 1973).

Public transit in Nashville has long been a subject of concern, but it was not until 1973 that Metro acquired the privately-owned public transit system, and is moving toward a transit policy, backed by local, state and federal funds.

Public transit is not treated in the literature as an accomplishment of Metro, and, in fact, Metro's record in this area is far from impressive, as the lead sentence in a local news story critically notes that:

> For more than 15 years city leaders have been saying something must be done to revive mass transit in Nashville, but so far little has been tried and even less has succeeded (Tennessean, July 1, 1973).

Appraisals of Metro have tended to ignore the lack of a public transit system in Nashville, but this sort of "nonperformance" might be as important to understanding metropolitan government as a list of accomplishments.

There is a consistency in claims that Metro has "provided the taxpayer with more service for his tax dollar" (Horton, Feb 26-27, 1973). Most of the discussion centers on process, i.e., savings from centralized operations, etc. However, the tax dollar/service benefits measures of local government remain elusive. There is simply no definitive position on whether Metro's level of public services is superior to other urban areas as a result of structural reform in Nashville. However, it would be impressive if Metro's performance during the decade of its existence had established it as innovative in providing urban services that were not being provided by traditional municipal government, because of lack of funds. If Metro has been economical and efficient, it has not been so to the degree that urban services appear distinctly different from other cities that have also failed to develop such a universally recognized "needed service" as public transit. Metro doesn't appear to be doing anything in the way of providing urban services that other municipalities are not doing. Whether Metro is better at providing those services is problematic. If better means Metro uses tax dollars in such a way as to free funds for urban services other municipalities are too poor to provide, Metro does not appear to do so.

The concerns that began to find expression in studies and recommendations for governmental reform in the Nashville area in the 1950's were occasioned by the urban population that had spread beyond the boundaries of the city, creating a situation in which there was a clear need for urban services, but a lack of governmental capacity to provide those services. Annexation appeared as a suboptimizing solution, and in the somewhat confusing events of referendum politics, annexation is credited with creating the circumstances that enabled the optimum consolidated structure to gain public acceptance.

Urban levels of services in Metro exist only in the area of the USD. For a decade the Metro Council did not expand the boundaries of the original city boundaries in 1962 of some 75 sq mi that comprised the USD at the time of the adoption of Metro. Provision of urban services in Nashville's newly annexed area (1962) under Metro is an accomplishment only if the assumption is that the City of Nashville would not or could not have provided those services. The meaning of the ten year stagnation of the expandable USD has even more significance than Mayor Briley's public statements that the lack of expansion was his greatest regret. (Tennessean, March 31, 1973).

The inability of the Metro structure to expand the USD to accomplish the "fit" between service needs/service delivery central to the theory of metropolitan reform is a rather dramatic failure. For some ten years a structural gap has existed between the heavily urbanized area of Davidson County and the Boundaries of the USD. It would appear that the anti-annexation sentiment that aided in the creation of Metro in 1962, precluded the "rationalization of urban services" that reformers assumed to be inherent in metropolitan reform. It could be argued that the metropolitan structure of the USD has been just as great an obstacle to providing needed urban services as has "fragmentation," in other metropolitan areas, and perhaps more so as other alternatives (incorporation, special districts) were not available.

Metro is currently in the position of endeavoring to accommodate a backlog of urbanized areas in need of urban services who are now convinced that they want to become residents of the USD. The planned expansion of services to these areas (within one year by charter provision) and as quickly as possible for political credibility, will be occupying much of the energy and attention of Metro government for the foreseeable future.

This turnaround has occurred as the outgrowth of the reaction to a crisis — in this case a neighborhood crisis, but nonetheless a compelling motive to examine the failure of public services. A fire claimed the lives of two children in the Bordeaux-Haynes area in the GSD, where there was no fire protection provided. Community sentiment began to organize to bring Bordeaux-Haynes into the USD — and receive the protection of the Metro fire department. In December of 1972 the Metro Council approved the addition of the Bordeaux-Haynes area to the USD, adding some 15 sq mi and 13,463 residents to the USD. (See Figure 21 for the current boundaries of the USD.)

Urban fringe dwellers (adjoining the USD) are becoming convinced by the experience of Bordeaux-Haynes, in which USD fire protection (resulting in lower insurance rates) and trash collection (previously privately subscribed to by residents) are resulting in more savings than the additional taxes of the USD.

It will be of interest to watch the actual expansion of the USD to see if Metro will face essentially the same difficulties that annexing cities experience in the mathematical increase of population in the USD expansion area, and the exponential increase of the cost of urban services for that population.

The arbitrary boundary of the USD in Metro contributes to some of Metro's difficulties in satisfying citizen expectations. Fire protection remains an area of dissatisfaction for residents of the GSD who lack this governmental service, but that service differential existed when Metro was adopted, and the response of Metro officials that "you aren't paying for fire protection and therefore you don't receive it" is logical, if unsatisfying to GSD residents.

Sanitary sewers have created some of the most troublesome conflicts in Metro. Originally financed from the general fund of the USD, sewers were an urban service which would be provided as the USD expanded.

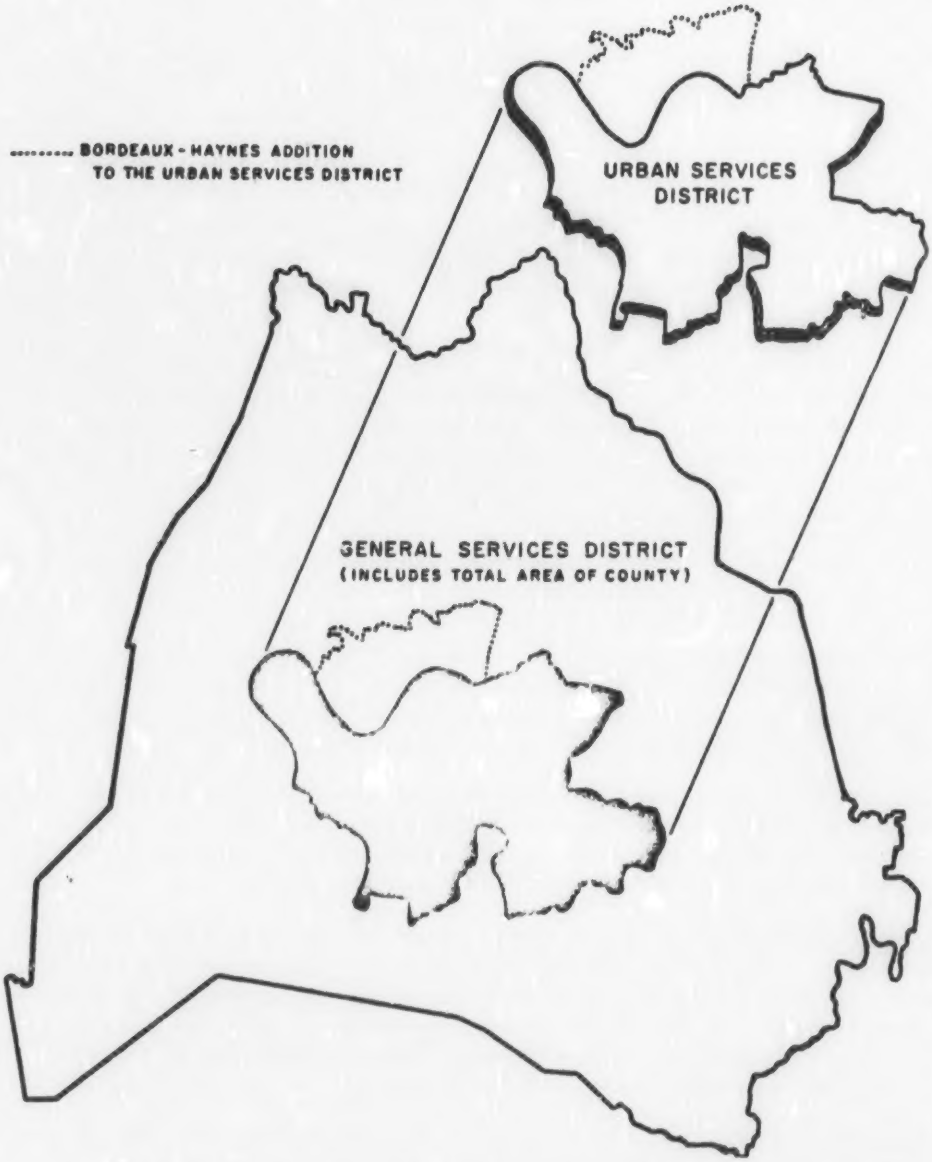

BORDEAUX - HAYNES ADDITION TO THE URBAN SERVICES DISTRICT
URBAN SERVICES DISTRICT
GENERAL SERVICES DISTRICT (INCLUDES TOTAL AREA OF COUNTY)

Fig. 21. Service Districts of the Metropolitan Government of Nashville and Davidson County, Tennessee

It is widely assumed by residents of the USD that "suburban" interests in Metro succeeded in getting sewers while "spitefully" refusing to become part of the USD with its higher tax rate. The mechanism that allowed Nashville's suburbs to do this was created in 1965 when the Metro Council voted to finance the sewer and water operation on a user charge basis, ignoring the USD/GSD boundary.

The sentiments of USD residents are that this was "fudging" on the part of Metro (in spite of a reduction in the USD tax rate in 1965 to compensate), in violation of the idea of using sanitary sewers as a carrot to convince the suburban areas to become part of the USD.

To further Metro's difficulties in handling the sewer issue, the twelve-year plan adopted with the rate structure and reduction of the ad volorem tax rate in the USD in 1965 was a failure, as projected costs in the plan proved to be totally inadequate to accomplish the system promised in the 1965 plan — "it was only a few years until the water system was broke, the sewer program was stalled and the administration was back asking for huge rate increases" (Tennessean, Feb 14, 1973).

By 1969 the administration was seeking a rate increase for the water and sewer department, the financial situation worsened, and for more than two years any additional sewering Davidson County waited the outcome of a stalemate between Metro's executive and legislative branches.

A rate increase was not enacted until 1973, and then only after a prolonged debate between the Briley administration proposing a rise of 125% in water rates and 30% in sewer charges, and a council loath to face voters at the next election after that kind of increase. In a compromise, federal revenue sharing funds were allocated to the water and sewer department to lower the rate of increase to 95% for water and 15% for sewer charges (Tennessean, April 18, 1973).

Metro officials maintain that the water and sewerage service charge system is the fairest method of financing, citing expenditures in the USD to upgrade the sewer system, and the separation of sanitary from storm sewers. But USD residents remain skeptical, feeling that "they have been paying for sewers for forty years" and are now being asked to subsidize the sewering of suburban areas with rate increases.

Metro, the Region and Environmental Programs

The perception of environmental problems in Davidson County exists in a somewhat different setting from that of what might be characterized as growth satiated areas such as Montgomery and Dade Counties.

That is not to say that environmental concerns are not real and persistent in Davidson County; but managing the environment for the Nashville region envisions a continuation of a relatively high level of developmental activity, hopefully planned with a minimum of environmental damage, but not slowed to any significant degree. (For example, the need for sewers is still advanced on the basis of attracting industry and many local governments in the region use the device of industrial bonds in the quest for economic development of the area.)

As the most urbanized of the thirteen counties in the region, Davidson County exhibits both a more sophisticated capacity in environmental programs and more difficult problems of local environmental management than the less urbanized counties surrounding it.

Solid Waste

Metro government feels it has contributed to a major breakthrough in municipal environmental management.

Nashville's Thermal Transfer Plant, scheduled to begin operation in early 1974, will convert Davidson County's solid waste into an energy source to both heat and cool some thirty commercial and governmental buildings in downtown Nashville (Briley, Nov, 1972). Because the Metro charter was an obstacle in allowing the Metro-owned utility to implement the plan, a not-for-profit corporation was formed with the power to issue tax-exempt revenue bonds (about $17 million) and will turn the plant over to Metro when the bonds are retired.

Growing out of a consultant's study of the feasibility of a conventional centrally located heating and cooling plant for Metro's buildings, the resulting plan came to encompass a whole range of utilitarian possibilities. It is planned that the Thermal Transfer Plant will initially convert about 50% of Davidson County's solid waste into energy to heat and cool; aiding in solid waste disposal, reducing air pollution because of the plants advanced incineration, and providing energy at a reduced cost.

Nashville's Thermal Transfer Plan appears to be one of those rare examples of an "everybody wins" environmental management program. But assuming the plant does perform up to expectations, there is some question as to its economic feasibility for other cities. Some eyebrows were raised when Metro officials involved in the Thermal Transfer Plant formed a private corporation to sell their knowledge to other cities (Tennessean, July 10, 1973). Knoxville, Tennessee became the first customer to sign a contract for the private corporation to study the feasibility of such a plant in Knoxville.

Heating and cooling will require the installation of some 15,000 feet of pipeline to carry the chilled water and steam of the system. Nashville's downtown is so torn up by urban renewal projects that the laying of the underground pipelines is not as expensive as it would otherwise be. The number of governmental offices in downtown Nashville was also helpful in providing customers for the plant.

Promising as the Thermal Transfer Plant is in alleviating Davidson County's solid waste disposal problem, Metro faces some serious difficulties in locating sites for sanitary landfills in the county (Tennessean, July 25, 1973). The existence of some ninety private collection companies in the GSD tends to complicate a systematic approach to disposal.

More stringent state standards, and the necessity to establish new sites as capacities have been reached at the existing sites, have made solid waste disposal a particularly difficult current environmental problem for Metro.

Not only the technological, but the political difficulty of local communities choosing sites for landfills makes solid waste disposal one of the most significant of local environmental programs. Metro is now in the process of taking a look at its site selection guidelines, with the idea that community acceptance and involvement is an important aspect of local site selection (Tennessean, Sept 8, 1973).

The director of Metro's Public Works Department summarized Metro's difficulties in solid waste disposal:

> The community is faced with a mounting volume of solid waste, a rapid disappearance of available disposal sites, increasing costs, people who are concerned primarily with the removal of waste from their premises but unconcerned after that unless the disposal site or facility to place this material s near their premises, and stricter environmental enforcement orders coming from higher levels of government (First Environmental Workshop, Dec 5 & 6, 1972, p. 16).

Air Pollution

Nashville is one of four municipalities in Tennessee that administer an air pollution control program separate from the statewide Clean Air Plan administered by the State Public Health Department.

The Metro Health Department (under the Metro Health Board) has an air pollution control division which maintains monitoring stations and enforces the Metro antipollution code (which must meet or exceed state standards).

Enforcement machinery in Metro typically relies on prolonged efforts to bring inudstry into compliance, using the threat of court action, but wishing to avoid the extreme of Metro actually bringing suit against local industries. For example, the two years of effort by the Metro Health Department to enforce the air pollution code which was being violated by three local foundries. One of the three foundries spent some $100,000 on the necessary abatement equipment, and became very vocal about the discrimination occurring because the other foundries continued to operate in violation of state and local law. But it was only after prolonged deliberation that the Metro Health Board voted to bring suit against the two foundries as constituting a substantial and immediate danger to public health and property (Tennessean, Apr 5 and Dec 6, 1973).

Air quality control is not as difficult a problem for Metro as are the problems posed by municipal management of water pollution control and solid waste disposal measures established by the state and federal government, in which Metro must meet externally imposed standards that require a great deal more local effort than air quality standards.

The four-year program of air pollution control has resulted in a significant decline in particulate pollution, largely as a result of the conversion of many heating plants from coal to other sources, although the level of particulate pollution in Nashville remains above the level recommended by the federal government (Tennessean, July 21, 1973).

However the fuel shortage may seriously affect air quality in Nashville if there is a return to the use of coal as a result of that shortage (Tennessean, Oct 24, 1973). While the reality of the anticipated fuel shortage in Nashville is far from clearly established, industrial interests in the Nashville area have begun to seek variances in the Metro antipollution code to allow them to burn coal (Tennessean, Nov 13, 1973).

The state office buildings in Nashville switched to burning some coal until the Thermal Transfer Plant becomes operational sometime early in 1974. It will likely be a difficult task for Metro to deny industry the use of coal in view of the state action and the official statement accompanying that state's action: "We will just burn coal and sweat out the criticism from the clean-air people" (Tennessean, Nov 10, 1973).

But the interest conflicts of the energy crisis/pollution control controversy tends to obscure any factual recitation of this particular issue in Nashville, since the natural gas utility supplying the Nashville area denies that a shortage of natural gas exists (Tennessean, Nov 12, 1973).

Nashville is not faced with as serious a problem in the level of automobile emissions that is bringing other urban areas to the point of considering seriously, alternatives to the use of private automobiles. The levels of gaseous emissions in Davidson County have been consistently lower than federal standards (Tennessean, July 12, 1973).

Water Pollution Control

Metro's financial difficulties in its sewer and water program have precluded Metro acquiring the private water and sewer utilities in the county to achieve its goal of a centrally administered water and sewer program under Metro's direction.

A consultant's report prepared for Metro (Stone and Youngberg, Nov 1, 1972, p. 2) noted the "fragmented nature of responsibilty for providing these services." There were in 1972 some eleven separate utility districts and private companies in addition to Metro, providing water and sewerage services in Davidson County.

But after resolution of the rate of increase for water and sewage customers by the council and mayor's office in 1973, Metro is now implementing the long-sought goal of consolidating this function.

Metro has recently acquired the largest utility district in Davidson County, and is moving to become a regional supplier of water. With the 1973 purchase of the Radnor Utility District, Metro now assumes Radnor's responsibility of wholesaling water to a Rutherford County Utility District.

There is little question that national programs are prodding Metro's commitment to a regional system of water supply. Metro's water and sewer director is quoted in a local news story (Tennessean, July 2, 1973): "If Metro should choose not to provide at wholesale rates for sewer and water treatment in its big new plants for outside counties some kind of new metropolitan utility district may be created at the insistence of the feds.'

In water pollution control it is the state that is involved in enforcement of environmental regulations. Metro, in common with other municipalities, is encountering rapidly increasing costs for treatment of municipal sewerage to comply with state standards. The Tennessee State Public Health Department, which enforces water pollution control, is admittedly inadequately staffed. The state assigns the highest priority to the pollution of Tennessee waters by municipalities, utilizing its limited personnel for that aspect of its responsibilities. Unfortunately, water quality control laws in Tennessee are being applied unevenly.

Because of the limited staff of the state's public health department, the strip mining industry in Tennessee is allowed to continue polluting waters so long as they have applied for discharge permits. The permits are on file, but have not been processed, i.e., strip mining operations are openly violating water quality standards legally, while urban residents are paying the cost of meeting water quality control standards in Tennessee. At the time this report was prepared, a lawsuit had been filed in Davidson County's Chancery Court by four environmental citizens groups to compel the state to enforce the water quality control law against strip miners (Tennessean, Sept 12, 1973).

Nuclear and Thermal Pollution

While Metro has no direct involvement in the controversies surrounding nuclear power plants, the possibility has been raised that an upstream nuclear plant proposed by TVA could affect Nashville's source of drinking water in the Cumberland river.

TVA is the subject of a lawsuit concerning its exercise of condemnation powers to acquire land in Smith and Trousdale counties for a proposed Hartsville nuclear power plant that will be one of the world's largest plants (Tennessean, Oct 30, 1973).

The basic issue of the lawsuit involves TVA's powers of eminent domain beyond the Tennessee River and its tributaries, and the condemnation and purchase of the land by TVA prior to the filing of an environmental impact statement for the project.

While the issues of radioactive waste and possible thermal pollution are being raised in the federal court action by the local land owners, the environmental issues surrounding nuclear power plants clearly exceed the jurisdiction and competence of local governments and will be the subject of national policy determinations; although citizen resistance to nuclear power plants is an emergent issue that could overshadow the sophisticated technological considerations involved.

Metro's Environmental Policy Making

Perhaps the most difficult aspect of governmental response to the growing awareness of the "interrelatedness of everything," in managing the environment is the conflict between human organizational needs to compartmentalize tasks, democratic values as expressed in "fragmented" powers in the political structure; and the apparent clumsiness of these mechanisms in contrast to the delicate balances of the eco-system.

Nashville-Davidson County was chosen by the Ford Foundation to participate in a two-year program intended to demonstrate the potential of rationalizing Metro's environmental management capacity. A major assumption of the Ford Foundation's grant program is that:

> It has become increasingly apparent that in attempting to develop regional models the environmental management obstacles are less technical than human (Felling, Feb 26-27, 1973, p. 13).

Nashville-Davidson County, with a strong executive and unitary area-wide powers, attracted a $650,380 Foundation grant in 1972 because of its structural capacity to achieve an integrative, coordinated, environmental program.

The specific problem focus of the Environmental Planning and Management Project is solid waste disposal, but it is broadly related to problems of air and water pollution, transportation and land-use planning (Environmental Planning and Management Project, Feb, 1973). There is no way to operationally define the stated goal of the project to relate solid waste disposal problems to the other areas defined as "related." The goal of the project measured against its achievements has yet to be evaluated.

Organized under the office of the mayor, a "troika" of co-managers provides the leadership core for the environmental management project. The core group is composed of an administrative assistant to the mayor, who is the project director, a university professor from the Graduate School of Management at Vanderbilt, and an attorney who is the chairman of the Special Environmental Committee of the Nashville Area Chamber of Commerce.

An inter-departmental task force from the planning, health, public works and law departments and the executive director of the Metro Planning Commission are participating in the project.

The project is an attempt to balance the interests of the private and public sectors, and decompartmentalize environmental functions within Metro by focusing on specific environmental issues. The project is described as facilitative and interventionist in terms of its relationship to the formal structure of government in Nashville.

Hypothetically, the environmental management project is operating within one of the most rational, comprehensive models of local government in existence in the United States.

However, there is no evidence that decision-making in Nashville is any less incremental and nonrational than it is in other local settings. A unitary overarching structure of local government doesn't supercede the fragmented nature of a metropolitan area. Racial, economic, and social cleavages are no less apparent in Metropolitan Nashville than in other local areas. These divisions have for a decade been operative within one political unit in Davidson County, just as they are in the more common pattern of multi-nucleated political structure of the typical metropolis.

Precisely what effect changing the structural context of decision-making in metropolitan areas has on the outcome of interest-conflict issues, priority-setting, etc., is unclear.

For example, sewering Davidson County has progressed under Metro, but the two-year stalemate that occurred in the program because of the impasse over raising the rates is suggestive of the difficulties of any general purpose unit of government in handling conflict issues. The sewage and water program in Metro has not been particularly "efficient," but it has been "democratic." It could be argued that a county-wide special district could have moved with greater dispatch in the sewage and water function, largely because the special district is relatively free of the kind of democratic conflict that exists in the policy decisions of general purpose units of government.

Public transit in Nashville has not been an area of notable success during the last decade. That has not been an uncommon experience of local governments. But since this has been clearly an area of nonperformance by Metro it is difficult to apply the standard "it would have been even worse" argument to the transit system. There is even the possibility that "it could have been better," since Metro's broad constituency in city-suburban-exurban areas could conceivably have contributed to a low priority status for urban transit. A Nashville city council and mayor might have been more disposed toward subsidizing public transit than a Metro council and mayor were.

Most local functions identified as having environmental costs and benefits are so closely tied to state and federal regulations and the availability of intergovernmental funds that it is extremely difficult to distinguish policy-making that is distinctly local in character. Perhaps the one exception has been in local government's control of land-use planning and zoning controls. But even this formal allocation of control over land-use has been profoundly affected by the federal and state highway program, and that is particularly true of Nashville in which six major highways intersect the urban area.

But the structure of Nashville's Metro is theoretically comprehensive, rational and professionalized to the degree that one would be led to expect a high utilization of its zoning powers toward community-wide goals. Artificial political boundaries fragmenting responsibility and implementation of land-use policy do not exist within Davidson County.

However, Metro has yet to adopt a comprehensive zoning bill which was, after ten years, submitted to the council in 1973 (Tennessean, July 11, 1973). As of this writing separate zoning ordinances for the USD and the GSD still exist, and the task of adopting a comprehensive zoning ordinance calls into play all forms of interest conflicts that tend to slow down the political process as those conflicts are managed by the political system. The comprehensive zoning ordinance will undoubtedly be a subject of intense controversy and much compromise. The Metro structure would appear to increase the capacity or potential for comprehensive, area-wide planning, but, operationally, the political, social, and economic impact of land-use planning and zoning implementation are so complex, that the nonrational, incremental processes of planning and zoning are just as apparent within Davidson County as in unreformed local structures.

In spite of the existence of a quasi-independent Metropolitan Planning Commission (appointed by the mayor and approved by the council), and a relatively sophisticated Metropolitan Planning Department, zoning changes are subject to final approval in the Metropolitan Council. Within the council a ritual known as councilmanic courtesy provides a piecemeal decision-making tool in zoning decisions. The practice of councilmanic courtesy operates in what many consider to be a structural fault in Metro, and that is its very large council. The Council is periodically subject to criticisms of the poor quality of members and lack of staff capacity. Local interviews indicate that the functioning of the legislative branch is one of Metro's persistent difficulties. Among the thirty-five district council members, zoning matters are automatically decided on the basis of the position of that district's council representative (Tennessean, May 16, 1973 and May 23, 1973). Legislative logrolling (you vote for mine and I'll vote for yours) is a not unusual legislative behavior pattern, but it does tend to negate the assessment that a unitary and rational system of local government will handle planning and zoning better than other metropolitan systems.

Noise Abatement

Another measure of local government's response to environmental concerns is in the area of "add on" programs, i.e., environmental policy and enforcement activities not mandated by the state or federal levels. Local response in the general area of noise pollution control has in many urban areas, predated federal involvement.

Nashville does not possess a noise abatement ordinance, although the health department is involved in a monitoring project to record noise levels at selected locations around Nashville. But if and when noise pollution reaches the agenda of the council in the form of an ordinance, a large share of the policy-impetus will be because of construction noise near the law office of a council member, who is now pushing the health department for a noise abatement ordinance (Tennessean, May 19, 1973).

Nashville is coping with the complexities of environmental issues, but there is little or no substance to the theoretical benefits of a unitary metropolitan structure in environmental programs.

The one clearly outstanding accomplishment of Metro is the Thermal Transfer Plant, and even that is not necessarily an accomplishment as an outcome of the structural reform of local government. The geographic locale is the downtown area, and it is difficult to believe that the cooperation of refuse collectors delivering waste to the plant could not have been negotiated by a city government. Perhaps Metro had more expertise and openness to innovation because of reform that contributed to the project, but that is a somewhat nebulous claim for reform that eludes assessment.

Metro and the Region

Beyond the internal concerns of Metro's performance in environmental programs, Davidson County's boundaries are obviously inadequate to contain the "problemshed" area of environmental programs. Metro is the urban core of a multi-county metropolitan region.

The regional agency in the Nashville area is a thirteen-county council of governments that acts as the A-95 review agency (clearinghouse) for federal programs and is also the state designated economic development district.

The origins of the Mid-Cumberland Council of Governments and Economic Development District in the late 1960's were in state and federal sponsorship of sub-state regional planning. Metro first attempted to have its planning commission designated as the regional agency, with A-95 review powers in federal programs. When Metro was unable to assume the A-95 review powers, Metro then wished to establish a three-county council of governments based on the existing SMSA. The two suburban counties actively resisted being in a three-county council of governments in which Metro would clearly be the dominant component.

In response to suburban resistance, a thirteen county council of governments and economic development district were created to balance Metro's position in the regional agency (McArthur, 1973, p. 34).

However, in pragmatic terms, Metro did not lose any significant governmental power when the thirteen-county COG and economic development district was created. The cooperative, voluntary nature of the COG as presently constituted make it acceptable to local governments (including Metro) precisely because it does not threaten their status quo powers. In the Nashville metropolitan area (as elsewhere) the assumption is that if a stronger regional agency is needed in response to the governmental needs of the metropolitan population, it will require state and/or federally mandated powers being given to the regional entity.

It is difficult to ascertain what effect the consolidation of city and county governments will have on the kind of metropolitan-regional problems that now transcend Metro's jurisdictional powers. Having only one governmental entity in centrally populated Davidson County would appear to be, for the regional effort, an organizational plus, reducing the complexity of intergovernmental relations.

But Davidson County is probably more threatening to the other twelve counties of the regional agency as Metro, than would the City of Nashville, some suburban cities and a county government have been. It is also possible to detect a parochialism on the part of Metro in regional affairs that rivals that of the central cities in terms of downgrading the hinterland's capacity and ability to contribute to regional decision-making. The governmental sophistication assumed to be present in a metropolitan model, doesn't necessarily mean that intergovernmental relations are facilitated at the next level of problem-solving, i.e., the inter-county level for the area today.

Summary

From the point of view of the areal requirements of environmental programs, Metro's geographic boundaries are no more suitable than other units of local government. It is possible to suggest, as one writer has done, that the sort of "innovative spirit" present in the Nashville area in restructuring the city-county government, will translate into innovation in restructuring governmental organization at the inter-county, regional level (McArthur, 1973, p. 35). But unlike technological innovations, which tend to stimulate further innovation, institutional innovations tend to run into more resistance, and evolve into repositories of status quo forces that act to prevent further institutional change. The intergovernmental problems of regional environmental programs for the Nashville-centered region do not appear open to a more optimistic assessment of some form of resolution because of the existence of a consolidated city-county at the core.

Nashville's experience with metropolitan government doesn't lend itself to any empirically-based conclusions as to the effect of structural changes on the performance of local government.

The only firm conclusion that can be drawn from Nashville's experience is that it does demonstrate that some fundamental structural changes occurred and successfully made the transition into a stable system of government. The credibility and acceptance of Metro by residents of Davidson County appear to be as high as that of any reasonably competent municipal corporation.

That change can occur without introducing chaos demonstrates the possibility of successful reform of existing local governmental structure. Just what substantive results are obtained by metropolitan reform remains unclear, with Nashville exhibiting little definitive evidence that structural capacity and potential translate into improved governmental performance.

METROPOLITAN TORONTO

Introduction and History

Since its formation in 1953, Metropolitan Toronto has fascinated students of government and metropolitanists in this country. It represents to them the most radical reform of local government and, to many, the most rational answer to the problems of fragmented local government in this hemisphere. It has been studied perhaps more than any other metropolitan form (Grant, 1965; Grumm, 1959; Kaplan, 1967; Rose, 1972; Smallwood, 1963). The relatively easy disolution and consolidation of municipalities and the accompanying formation of second-tier general purpose governments embracing the total urbanized area which have characterized the twelve regional governments formed in the province of Ontario in the past twenty years are in striking contrast to the many failures in this country to achieve even limited metropolitan government.

The Role of the Province

Unlike this country where decisions as to changes in local government are arrived at by local referenda, the province in Canada can by legislative enactment expand, eliminate, and consolidate municipalities and form second-tier governments. "Home-rule" as it is known in this country does not exist in Canada.

Under Section 92 of the British North American Act, the Canadian counterpart to the U S Constitution, the power to legislate on municipal affairs is given exclusively to the provinces rather than to the Dominion Parliament, except that there are restrictions on the kinds of powers that the province can vest in the municipality. This relationship corresponds to that of the United States where local government comes under the jurisdiction of the States, and differs from the English system where the national Parliament is omnipotent (Crawford, 1954, p. 50).

Beginning in 1897 with the creation of the post of Provincial Municipal Auditor, the Province of Ontario has exercised steadily increasing power over municipal affairs. The Ontario Railway and Municipal Board formed in 1906 was given powers primarily in the railway field, but also possessed various powers over municipalities, including the alteration of municipal boundaries. In 1917 the Bureau of Municipal Affairs was created to supervise the accounting of municipally controlled utilities other than electric utilities.

As a result of the depression, the powers of the Railway and Municipal Board were expanded in 1932 to include a broad authority to forbid or require actions by municipalities and the name of the board was changed to the Ontario Municipal Board. At the same time, the Bureau of Municipal Affairs was transferred into the OMB. The OMB was given the authority not only to control the borrowing of municipalities but in 1946 its powers were further increased to include authority over all expenditures.

In 1935, the Department of Municipal Affairs was created in Ontario with powers to oversee generally municipal affairs and also, under orders from the OMB to supervise the administration of defaulting municipalities (Crawford, 1954, p. 347). The Department began to collect detailed information about municipal government throughout the province. Such information provided extensive background for the discussion and studies that were to begin before the end of World War II and continued over the next decade. Beginning in the early 1960's the Department of Urban Affairs commissioned studies which led ultimately to dividing all of the Province's urban areas into metropolitan regional units. Involved also in the development of policy relative to local government structure has been the Province's Ministry of Treasury and Economic Development. Steps are currently under way to merge Urban Affairs and Treasury and Economic Development into a "super ministry" of Finance and Intergovernmental Affairs (Rose, 1972, pp. xi, 11, and 144).

Although the decisions relative to local government structure are made at the provincial level, such decisions are reached only after a well-defined and lengthy procedure of study, evaluation, and conferring with local officials. The process begins when the attention of the Province is called to a local problem. (In the case of Toronto the need for the City of Toronto to expand caused the adjacent suburban communities to propose a joint services district which would have prevented any further expansion of Toronto.) Normally a study of the problem is ordered by the Province resulting in recommendations for a specific course of action, which is submitted to the local interests involved for their views. Eventually, a local study committee is formed and an extensive dialogue commenced between the Province and local officials, followed by the drafting of legislation by the Province which authorizes and defines in considerable detail the new local unit and ultimately becomes law (Citizens Research Council, 1969).

The domination of local governmental affairs by the Province has been accompanied by provincial assistance in local taxing matters. Municipalities had power to levy the income tax prior to the 1930's but this power was pre-empted by the Province when it assumed control over local borrowing and debt. The assistance provided by the Province has been in the form of providing from provincial tax sources grants to the municipalities and metro governments for the purpose of providing tax relief to residents from the ad valorem property tax. A straight per capita grant is made to each municipality. In the case of Metro Toronto this is currently set at $7.50 per capita per year. This grant, in effect, is rebated to the residential property owners by reducing the levy against residential property below that of commercial property in an amount equal to the total grant.

In addition to the per capita grant, a shelter tax allowance is made directly by the province to residential owners as further relief from the property tax. The allowance is handled directly with the individual taxpayer on his federal income

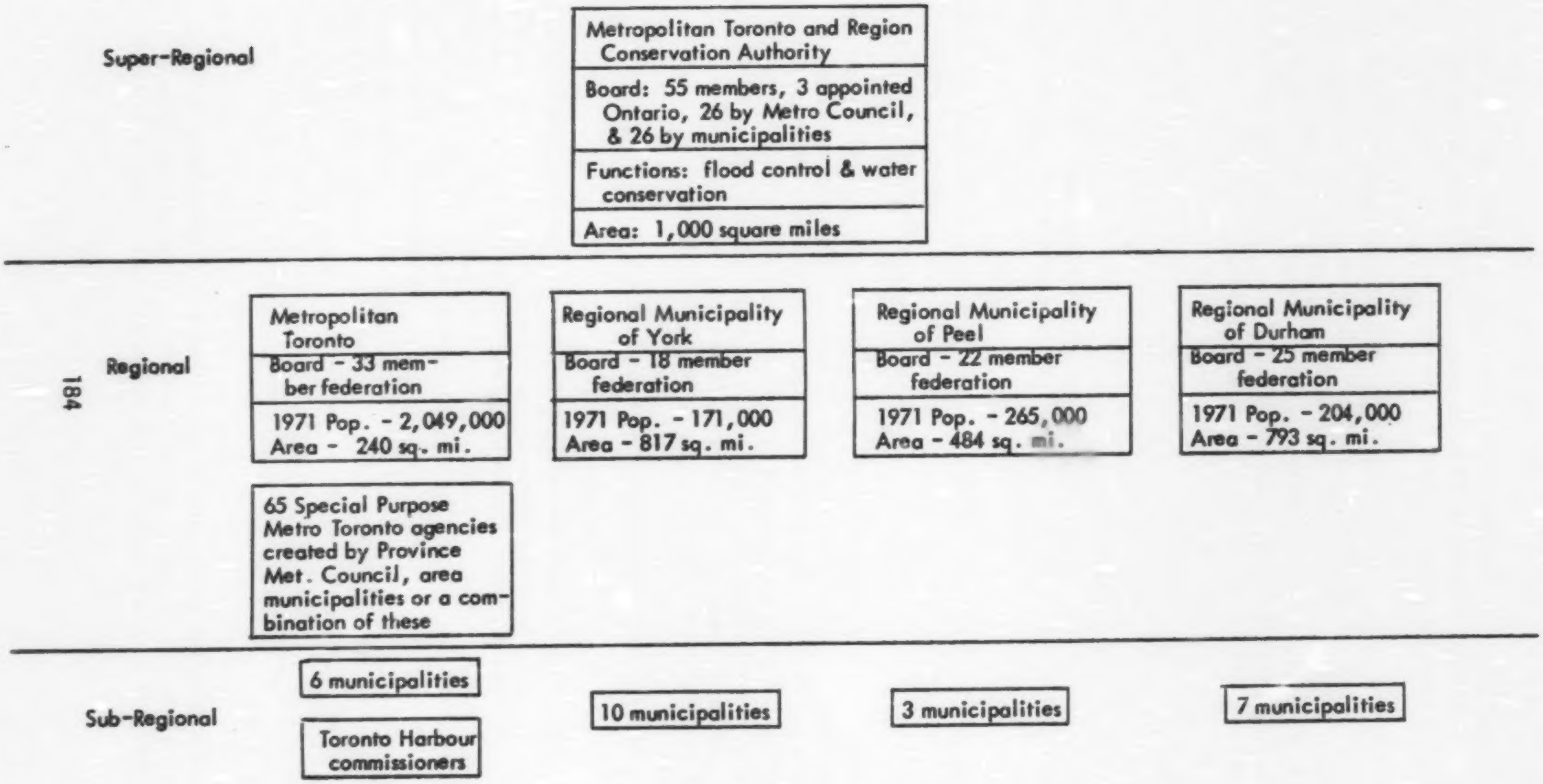

Super-Regional
Metropolitan Toronto and Region Conservation Authority
Board: 55 members, 3 appointed Ontario, 26 by Metro Council, & 26 by municipalities
Functions: flood control & water conservation
Area: 1,000 square miles
Regional
Metropolitan Toronto
Board - 33 member federation
1971 Pop. - 2,049,000
Area - 240 sq. mi.
Regional Municipality of York
Board - 18 member federation
1971 Pop. - 171,000
Area - 817 sq. mi.
Regional Municipality of Peel
Board - 22 member federation
1971 Pop. - 265,000
Area - 484 sq. mi.
Regional Municipality of Durham
Board - 25 member federation
1971 Pop. - 204,000
Area - 793 sq. mi.
65 Special Purpose Metro Toronto agencies created by Province Met. Council, area municipalities or a combination of these
Sub-Regional
6 municipalities
Toronto Harbour commissioners
10 municipalities
3 municipalities
7 municipalities

Fig. 22. Governmental Characteristics — Toronto Area

tax form and is funded from the federal income taxes channeled back into the provinces.

The Role of County Government

Since the county in the United States has been a significant factor in the efforts to regionalize local government in the United States, it is appropriate to review briefly the place of county government in Ontario.

In contrast to the United States, county government in the Province of Ontario prevails only in rural, unurbanized areas. In some rural counties, the basic unit of government is the township which is an incorporated municipality not subject to control by the county. In other counties, the county is the municipality with certain powers such as upkeep of roads and maintenance of jails. These county municipalities do not have the power to tax, but receive their funds from taxes collected by the municipalities. The federated governing body, made up of representatives from municipalities, was a common form in Ontario county government. The two-tiered, federated arrangement created for Metro Toronto was not an innovation in local government structure; there was ample precedent for it in county government (Plunkett, 1973, p. 43).

In the urban areas, as municipalities are formed and expand, the county functions are transferred to them. The County of York, which at one time included all of the present area of Metro Toronto, does not function in any way within the boundaries of Metro Toronto (Citizens Research Council, 1969). The Canadian county, therefore, is not the durable political force that it is in most parts of the United States.

The Origins of Metro Toronto

By the time Metro Toronto was formed in 1953, the familiar pattern of a stable central city and rapidly growing suburbs had emerged. The process of annexation by the City of Toronto had been discontinued by 1920; the 12 municipalities that lay on its boundaries had by 1953 foreclosed any further expansion by the City. Between 1941 and 1951 the population of the City of Toronto had increased by slightly more than 1%; that of the 12 cities, by 82%. In 1941, the City's population constituted 73% of that of the metropolitan area; ten years later that proportion had declined to 60% and by 1971 it was 33%.

The massive growth in the suburban areas produced numerous public service problems. Water resource facilities were inadequate, both supply and waste treatment. Educational facilities were overwhelmed and financial resources were inadequate to provide needed additions and expansions. Some of the "crunch" of expansion was relieved through the nearly 100 interlocal service agreements with the City of Toronto. This system of agreements failed to keep pace with the needs "mainly because they failed to commit the supplier of the service to its expansion" (Metropolitan Toronto Planning Board, 1970, p. 6).

Table 14

Population Distribution by Municipal Units, Metro Toronto, 1941-1969

	1941	1951	1961	1969	1971
City of Toronto	667,457	675,754	672,407	684,595	686,202
Towns[a]					
Leaside (East York)	6,183	16,233	18,579		
Mimico (Etobicoke)	8,070	11,342	18,212		
New Toronto (Etobicoke)	9,504	11,194	13,384		
Weston (York)	5,740	8,677	9,715		
Villages[a]					
Forest Hill (Toronto)	11,575	15,305	20,489		
Long Branch (Etobicoke)	5,172	8,727	11,039		
Swansea (Toronto)	6,988	8,072	9,628		
Townships (Boroughs)[a]					
East York	41,821	64,616	72,409	98,776	104,784
Etobicoke	18,973	53,779	156,035	269,590	282,686
North York	22,908	85,897	269,959	446,196	504,150
Scarborough	24,303	56,292	217,286	295,534	334,310
York	81,052	101,582	129,645	140,454	147,301
Grand Total	909,746	1,117,470	1,618,787	1,935,145	2,059,433

Source: Rose, 1972, p. 115; Metropolitan Toronto Planning Board, 1970, p. 10; and The Toronto Star, Apr 28, 1973.

[a] In the reorganization of January 1st, 1967 the townships became boroughs, and incorporated the towns and villages.

In 1950, the City of Toronto submitted to the Ontario Municipal Board its proposal for a unitary form of local government — the amalgamation of 12 suburbs and municipalities into the City. The suburban municipalities resisted this proposal and did propose some alternatives, principally in the form of single-purpose special districts to operate throughout the total suburban area. The OMB held hearings during 1951 and 1952, and in 1953 arrived at a compromise between the unitary form proposed by Toronto and the status quo desired by the outlying cities. This compromise is the present "two-tier" federated arrangement in which "local" services continue to be provided by the municipalities and "metropolitan" services by the newly formed Municipality of Metropolitan Toronto, and the governing council of Metro is composed of elected representatives of the constituent municipalities. The Act creating Metro Toronto became effective January 1, 1954.

Structure and Functions of Metro Toronto

The Metropolitan Council consisted of 25 members: the Mayor and 11 aldermen from the City of Toronto, and the mayors of each of the 12 other municipalities, and a chairman, originally appointed by the Government of Ontario. After January 1, 1955, the chairman could be elected either from within or outside of the Metropolitan Council (Rose, 1972, p. 22).

Using the population of 1951 as a base, the number of constituents per councilman would be:

Cities, towns and villages	
Toronto	56,313
Leaside	16,233
Mimico	11,342
New Toronto	11,194
Weston	8,677
Forest Hill	15,305
Long Branch	8,727
Swansea	8,072
Townships	
East York	64,616
Etobicoke	53,779
North York	85,897
Scarborough	56,292
York	101,582

The range in the representativeness of each councilman was a factor in the 1967 reorganization of Metro Toronto. It has been the basis for periodic pressures by the press to discard the method of indirect election to the Council for a method of direct election from districts presumably of equal population. However, there appears to be little probability that the present election system will be changed, as the federated, indirect election system seems to be well suited for two-tier government. The direct election system was tried in Winnipeg and is believed to have contributed to the decision to eliminate two-tier government in that city in favor of consolidation into a single municipality. With governmental services being provided by two levels of governments, it is argued that the federated system has "ensured continuity and coordination between the operations of the Metropolitan Corporation and the local area municipalities. . . ." (Metropolitan Toronto Planning Board, 1970, p. 6). Besides the administrative advantages derived from having the governing council consist of the chief executives of each local government, there would seem to be considerable merit in having the differences which frequently occur between so-called metropolitan and local interests resolved by the elected heads of the constituent bureaucracies. Whether metropolitan interests are adequately represented on the Council and consideration should be given to at-large representatives is a question for future research. There is evidence that the aldermen sitting on the Council are not completely parochial in their votes. In addition, the chairman through his membership on all committees and his position as the chief executive over Metro can be a very powerful force for Metro interests.

The general administrative structure of Metro Toronto is depicted in Figure 23. It follows the typical British pattern of strong council committees, in that all department heads report directly to a council committee — staff to the Executive Committee, line to the other administrative committees: Social Services and Housing, Parks and Recreation, Works, and Transportation.

The chief executive officer is the Chairman of the Council, who serves also as Chairman of the Executive Committee and ex-officio member of the other committees. He does not have the exclusive command relationship with department heads as does the city manager or strong mayor in this country, but he does possess considerable power as a result of his election by the Council and by his presence on the Executive Committee. The first chairman, Frederick Gardiner, through the force of his own personality exercised strong leadership over Metro and is reputedly responsible in large measure for the successes that Metro can claim in the first years of its operation. In the past year the office of the Chairman has been strengthened by an act of the Council creating the position of Executive Director who acts as a CAO to the Chairman.

The Executive Committee includes, in addition to the chairman of the Council, the mayors of the constituent cities, and 4 aldermen from the City of Toronto. It is the principal administrative body. It develops and presents the annual budget; recommends appointees to department head positions and members of boards and commissions; dismisses or suspends department heads; sets pay rates; and awards contracts.

In a recent study commissioned by Ontario's Ministry of Treasury, Economics and Intergovernmental Affairs, an intensive evaluation was made of the 5 systems of local government in Ontario, as well as 9 systems in existence in other Canadian provinces, and in the United States and England (Hickey, 1972). The study by Paul Hickey leans favorably toward more concentrated and centralized administrative

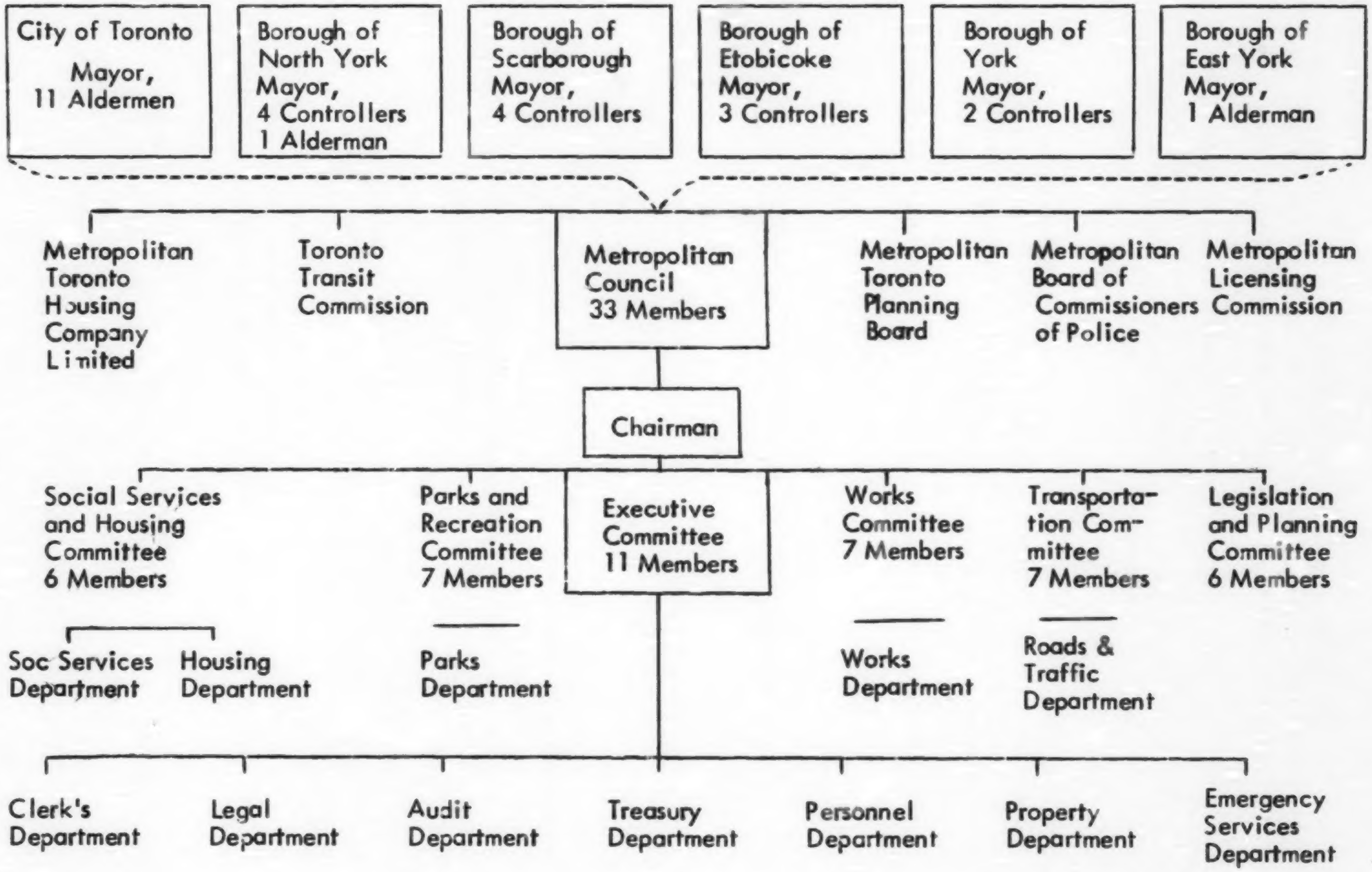

City of Toronto
Mayor,
11 Aldermen
Borough of North York
Mayor,
4 Controllers
1 Alderman
Borough of Scarborough
Mayor,
4 Controllers
Borough of Etobicoke
Mayor,
3 Controllers
Borough of York
Mayor,
2 Controllers
Borough of East York
Mayor,
1 Alderman
Metropolitan Toronto Housing Company Limited
Toronto Transit Commission
Metropolitan Council
33 Members
Metropolitan Toronto Planning Board
Metropolitan Board of Commissioners of Police
Metropolitan Licensing Commission
Chairman
Social Services and Housing Committee
6 Members
Parks and Recreation Committee
7 Members
Executive Committee
11 Members
Works Committee
7 Members
Transportation Committee
7 Members
Legislation and Planning Committee
6 Members
Soc Services Department
Housing Department
Parks Department
Works Department
Roads & Traffic Department
Clerk's Department
Legal Department
Audit Department
Treasury Department
Personnel Department
Property Department
Emergency Services Department

Fig. 23. Organization and Functions — Metropolitan Toronto

structures under the supervision of a CAO (Chief Administrative Officer). The Council would appoint the CAO, but would not delegate to him its powers; the CAO would study, suggest, assist, report, and recommend (Hickey, 1972, p. 67).

The study's conclusions about Toronto suggest that future acts creating metro governments may avoid some of the alleged problems of uncoordination and fragmentation of Toronto and provide for a form more closely approaching the council-CAO form. Some of the conclusions about Metro Toronto are reproduced below:

> 71. Metropolitan Toronto's council-chairman-executive committee-committees-no CAO system (which has been adapted to the needs of Regional Ottawa-Carleton) was "an interim product of conflict and compromise, between the central demanding full-scale amalgamation of all neighboring communities and its adjacent suburbs insisting upon retaining their local autonomy (Smallwood, 1963)."
>
> . . . .
>
> 75. The chairman of the council is the head of the council, but unlike the head of the council of other municipalities, the duties of the chairman, as the head of the council, are not described in the Statute.
>
> 76. The chairman of the council is the head of the council and the leader of the council. In addition, he is expected to be a leader of the local community and the CAO of the metropolitan corporation. In other major local governments in Canada, the United States and England, the work of the chairman of the council of metropolitan Toronto is the work of two and in some cases, three persons. The imposition of such an extremely heavy workload is not in the best interests of the person who is chairman, the other member of the council, the COs, the corporation and, of course the citizens of the area.
>
> 77. It is questionable, to say the least, if any person possesses the time and energy to assume responsibility (a) for the initiation of the goals, objectives, priorities, policies, etc. of a major municipality in the 1970s, (b) to lead the council in the formulation of these prime concerns and, at the same time, (c) to lead, co-ordinate and direct the COs of such a municipality, with their diverse and complicated problems.
>
> 78. There is a void in the coordination of the COs. Some COs report to the executive committee. Other COs report to the administrative committees. COs do not report to the chairman of the council. They do not report to a CAO. The reporting of the COs is confused — this is an extremely significant weakness!

79. The workload of the members of the executive committee of the council is exceedingly heavy. The nature of the workload, the extent of the workload, and the desirability of the workload should be examined thoroughly.

. . . .

81. The acceptance of the recommendations of . . . Section (e)

(i) the repeal of the powers of the executive committee of the council

(ii) the enactment of a modern, definitive statement of the powers and duties of the executive committee of the council

(iii) the transfer of the powers and duties of local boards and agencies to the corporation, and

(iv) TE & IA (Treasury, Economics & Intergovernmental Affairs) promoting, actively

- the withdrawal of the administrative committees of the council
- the establishment of a system of policy committees of the council to discuss and resolve business of the council
- the concept that the councillors allocate the bulk of their time and energy to the prime concerns of the municipality and much less to administrative and technical details, and
- the concept that the councillors assign to a CAO, with the assistance of the COs, the responsibility to establish a system of co-ordinated administration at the officer level, that is subject to the policies and directions of the council (Hickey, 1972, pp. 285 et seq.)

Division of Services

The sharing of functions between the two tiers of government effected in 1953, and the later reassignments, primarily upward to Metro, are shown in Table 15.

The trend since 1953 has been for the transfer of services upward to Metro and in a few cases upward from Metro to the Province and Federal Government. The first major shift occurred in 1957 as a result of a Metro evaluation of the first four years of its operation; additional transfers of services were effected in 1967 as part of the reorganization of the Metro Council.

Table 15

Assignment of Functions to Municipalities and Metro, 1953-1973 (Toronto Metropolitan Area)

Exclusively Local

Fire protection
Community services: recreation programs, community centers, and arenas.

Shared

Water supply — Metro acts as wholesaler to municipalities, which are responsible for local distribution.
Sewage disposal — Similar to water supply arrangement. Metro provides trunk lines and treatment; municipalities responsible for collector lines.
Parks — Neighborhood parks and playgrounds provided by municipalities, regional parks, zoos, islands, and waterfront by Metro.
Housing — Co-equal powers for provision of housing. Metropolitan Toronto Housing Authority created in 1955.
Health — Public health services provided by municipalities, chronic and convalescent hospitals by Metro.
Planning — Theoretically, local plans are developed in conformity with Metro plan. Actually, the Metro Plan is an amalgamation of the municipal plans and has never been registered with the Province as the official Metro Plan.
Taxation — Assessment responsibility of Metro, tax collection by cities On Jan 1, 1970 assessment was transferred to the Province.
Roads — Expressways, major arterial roads, and public transit responsibility of Metro; feeder streets, sidewalks, and street lighting are the responsibility of municipalities

Exclusively Metro

Debenture borrowing — Subject to the approval of the OMB, Metro does the borrowing for the municipalities, boards of education, and authorities.
Civil defence — Established in 1957.

Originally Local, Later Shared or Transferred

Police protection — Transferred to Metro in 1957 under the Metro Board of Commissioners of Police
Licensing — Transferred to Metro in 1957 under the Metro Licensing Commission.
Public Libraries — Now a shared function. In 1967 the Province established the Metropolitan Toronto Library Board to develop central and regional reference libraries and provide financial assistance to local libraries.

Originally Local, Later Shared or Transferred (cont.)

Garbage Collection — Now a shared function. Metro was given power in 1966 to establish disposal facilities. Municipalities collect.

Administration of Justice — Magistrate courts transferred to Metro in 1957.

Education — Originally Metro had coordinating responsibilities and provided some financial assistance through the Metro School Board. Under the 1967 reorganization, the Metro Board was given more responsibility, a reorganization into District Boards to operate the schools, and financial support made uniform throughout the area.

Welfare — Public assistance payments transferred to Metro in 1967.

Air Pollution — Transferred to Metro in 1957 and subsequently to Province in 1968.

Sources: "Report of the Royal Commission on Metropolitan Toronto," in Joseph F. Zimmerman, Ed., *Government of the Metropolis* (New York: Holt, Rinehart and Winston, Inc., 1968), pp. 230-232; Elizabeth Nealson, Metropolitan Information Officer, "The Municipality of Metropolitan Toronto," Apr 15, 1970, pp 4-10; Albert Rose, "Governing Metropolitan Toronto: A Social and Political Analysis, 1953-1971," 1972, pp. 36 and 119; and Metropolitan Toronto Planning Board, 1970, p. 9.

Metro Toronto and Environmental Control

Air pollution control was originally a municipal function, but became successively a responsibility of Metro in 1957 and of the Province in 1968. The original anti-smoke law was passed in 1907, but it was not until 1949 that an effective law was passed. By 1968 when the Province assumed the responsibility, 95% of the once serious black smoke problem had been eliminated. Since that time there have been 128 industrial abatements and 1,043 fuel conversions implemented. In addition, an air pollution index and alert system has been put into effect. This index permits the Minister of Energy and Resources Management to curtail the operations of major sources of air pollution as certain index levels are reached (Ontario Dept of Energy and Resources Management, n.d., p. 2).

Water pollution control is the responsibility of Metro's Works Department. This department reported in 1970 that under Water Control Pollution Plan established in 1953, "some 230,000,000 gallons of sanitary waste water collected each day is given complete secondary treatment (through three treatment plants) to ensure at least 90% purity before discharge and diffusion into Lake Ontario, an accomplishment unique in North America for a municipality the size of Metropolitan Toronto" (Metropolitan Toronto Planning Board, 1970, p. 20).

Flood control is the responsibility of the Metropolitan Toronto and Region Conservation Authority, with jurisdiction over an area of 1000 square miles including the 240 square miles occupied by Metro Toronto.

Control of noise is up to the individual municipality. A North York law under which 2 individuals had been convicted, one for hammering nails at 11:15 pm and another for playing his radio too loudly in his back yard, was recently challenged in the courts, but was upheld as constitutional by the appeal division of the Ontario Supreme Court in a "precedent setting" decision (Globe and Mail, Sept 20, 1973). A two-year study by Toronto Works Commissioner is under study by that city's Works Committee. Some of the recommendations of the study are:

> The establishment of testing stations to which police would direct noisy cars, trucks, and buses.
>
> The review by City Council of all applications for rezoning or land use changes to determine what effects, if any, they will have on present noise levels. Before the changes would be approved, commitments would be obtained that if noise levels are increased as a result of the proposed land use, control measures would be established.
>
> The inauguration of a $100,000 program for the City to reduce the noise levels of its own vehicles.
>
> The passage of a comprehensive anti-noise bylaw (ordinance) and the creation of a noise control unit in the Public Works Department.

On the basis of monitoring 600 points throughout the city and interviews with 10,000 residents, the study concluded that Toronto is not yet a noisy city. Its highest median noise readings of 58 decibels were comparable to the levels in residential areas of cities in the United States. However, 72% of those interviewed believed that noise was on the increase and there should be laws passed to control it, although it rated in importance below control of air and water pollution (only 12% would consider moving because of noise). Most of the City, (except some areas near expressways) were below 65 decibels, the level at which noise is considered a problem (The Toronto Star, Nov 10, 1973 and Jan 5,1974).

With respect to control of nuclear radiation, Ontario Hydro operates Canada's largest nuclear power plant in Pickering east of Metro Toronto. The Province is under pressure from environmental groups for tighter standards on radiation emission. It is claimed that the present standards adopted by the Atomic Energy Control Board "permit 100 times the radiation emission allowed in the United States." Tighter controls are requested over the sale of spent nuclear fuels and the emissions from heavy water production plants (The Toronto Star, Aug 25, 1973).

Changes Since 1953

The basic structure of Metro Toronto has prevailed since its inception in 1953. The changes that have occurred in the succeeding 20 years have changed the representation of the constituent cities on the Metro Council, shifted some services upward to Metro and added others, and fixed its boundaries permanently. The most intensive period of reform began in 1963 and culminated in the 1967 amendments to the original Act creating Metro.

1967 Reorganization

Since 1953 the relatively more rapid increase in the population of the 12 outlying municipalities over that of Toronto had resulted in increasingly greater inequities of representation on the Metro Council. The City of Toronto's response to this situation was to continue to promote the amalgamation of these cities into a single City of Toronto which it submitted as a formal request to the Ontario Municipal Board in 1963. This eventually resulted in the Province's creating in the same year a Royal Commission on Metropolitan Toronto.

The findings of the Commission, contained in a report submitted in 1965, was accepted by the Prime Minister and placed in his report without substantial change, except for the recommendations on education. The Commission's report had endorsed the continuation of the two-tier federated system, the consolidation of the 13 municipalities into 6, rather than amalgamation and reform of the system of representation.

The 13 municipalities were consolidated into 6 units of local government: the City of Toronto and 5 boroughs: York, East York, North York, Etobicoke, and Scarborough. Of the 7 towns and villages, Forest Hill and Swansea were merged into the City of Toronto; and the other 5 were taken into townships redesignated as boroughs: Long Branch, New Toronto, and Mimico into Etobicoke; Weston into York; and Leaside into East York. In addition, the townships of North York and Scarborough were changed to borough status.

Aldermen are municipal councilmen elected by district. A separate board of control system may be created in which controllers (usually 4 in number) are elected at large. The board of control functions like an executive committee of the council in developing programs and legislation for submission to the council. At the time of the 1967 reorganization, the City of Toronto had abolished its board of control in favor of an executive committee.

The system of representation was also revised. The revised system of representation is shown below. Mayors and controllers became ex-officio members of the Metro Council. The revision in representation resulted in the following calculation of representativeness:

Unit	1967 Population per Representative
City of Toronto	57,000
Borough of East York	45,000
Borough of Etobicoke	60,000
Borough of North York	57,000
Borough of Scarborough	56,000
Borough of York	43,000

Thus, by a combination of reducing the number of constituent units, adding 8 members to the total number of borough representatives, and holding Toronto to its then present total of 12 members, it was possible to eliminate the considerable disparities in representativeness that had existed, although the residents of the cities that had been eliminated might question whether they were being better represented.

The Executive Committee of the Metro Council, which had not been provided for in the original enabling legislation and thus existed at the discretion of the Council, consisted originally of the Chairman and 4 members elected by the Council from its own membership. By 1967 the membership consisted of 3 representatives from the City of Toronto, 3 from all of the other municipalities, and the Chairman of the Council. Under reorganization the appointment of an Executive Committee was made mandatory and its membership increased to 11 to permit all the boroughs to be represented. The mayors of each borough and the City of Toronto were made members. In addition, the four members of Toronto's Board of Control (later changed to the Executive Committee) were also given membership and the Chairman of Metro Council continued to function as the chairman of the Committee.

In 1973 a further revision of the representation was under way to maintain the uniformity achieved in 1967. The current chairman of the Metro Council had submitted four alternative plans for reform based upon varying the number of councilmen. The one plan he has recommended would call for the number of councilmen to be increased from the present 33 to 38, and would change the representation of each constituent governmental unit as follows:

	Number of Representatives	
Unit of Government	Present	Proposed
Chairman	1	1
City of Toronto	12	12
Borough of North York	6	9
Borough of Scarborough	5	6
Borough of Etobicoke	4	5
Borough of York	3	3
Brough of East York	2	2
Total	33	38

The Executive Committee would remain at 11 members but the City of Toronto would give up 2 members (from 5 to 3) and the Boroughs of North York and Scarborough would each gain one member (from 1 to 2) (The Toronto Star, Oct 27, 1973). The Chairman is expected to recommend also that all Metro Council Members be directly elected from districts created for Metro Council membership and that these councillors would also sit on the municipal councils. Under the present system the alderman and controllers receiving the highest number of votes sit on the Metro Council Executive Committee.

Metro Toronto and Boundary Expansion

The expanding of municipal boundaries to encompass an exapnding population and the need for local government to expand its jurisdiction as its population spreads beyond its boundaries has been met with varying degrees of success by the devices reported in this study: annexation, consolidation, interlocal agreements, and metropolitanization. If the expansion of population continues, these steps will have only deferred the problem as populations increase beyond the new boundaries.

For Metro Toronto the question of boundary expansion was settled this year when the Province created the new regional municipalities of Peel and Halton to the west of Toronto and Durham to the east, effective January 1, 1974. To the north, the regional municipality of York (not to be confused with the Borough of York in Metro Toronto) was established in 1971. Thus, Metro Toronto is now completely surrounded by separate two-tier metro municipalities. One can expect, therefore, as the Toronto economic region grows, discussions commencing on the subjects of "umbrella" organizations, super-regional special districts, and inter-regional service contracts. There is some speculation already on the position of the Metropolitan Toronto and Region Conservation Authority whose jurisdiction spreads into all five of the metropolitan municipalities, the issue being whether the functions of the Authority and any future special district cannot be handled by interjurisdictional agreements between these municipalities.

The efforts begun in 1966 by the Province of Ontario to reform local government will have resulted by the end of 1974 in the creation of nearly a dozen new metropolitan municipalities, all of the two-tier variety. This program of structural reform arose from the economic development programs of the Province and is set forth in the three phase "Design for Development" (Robarts, 1968; McKeough, 1968, 1972; Davis, 1972). In each of the ten economic development regions (later decreased to 5 planning regions), regional government was seen as a necessary factor in the implementation of the economic development plans. On the basis of the studies conducted by staff of the Department ot Treasury and Economics and reports emanating from various legislative committees, notably the Select Committee on the Municipal Act and Related Acts and the Ontario Committee on Taxation, the numerous units of small local government were not meeting the needs of the population.

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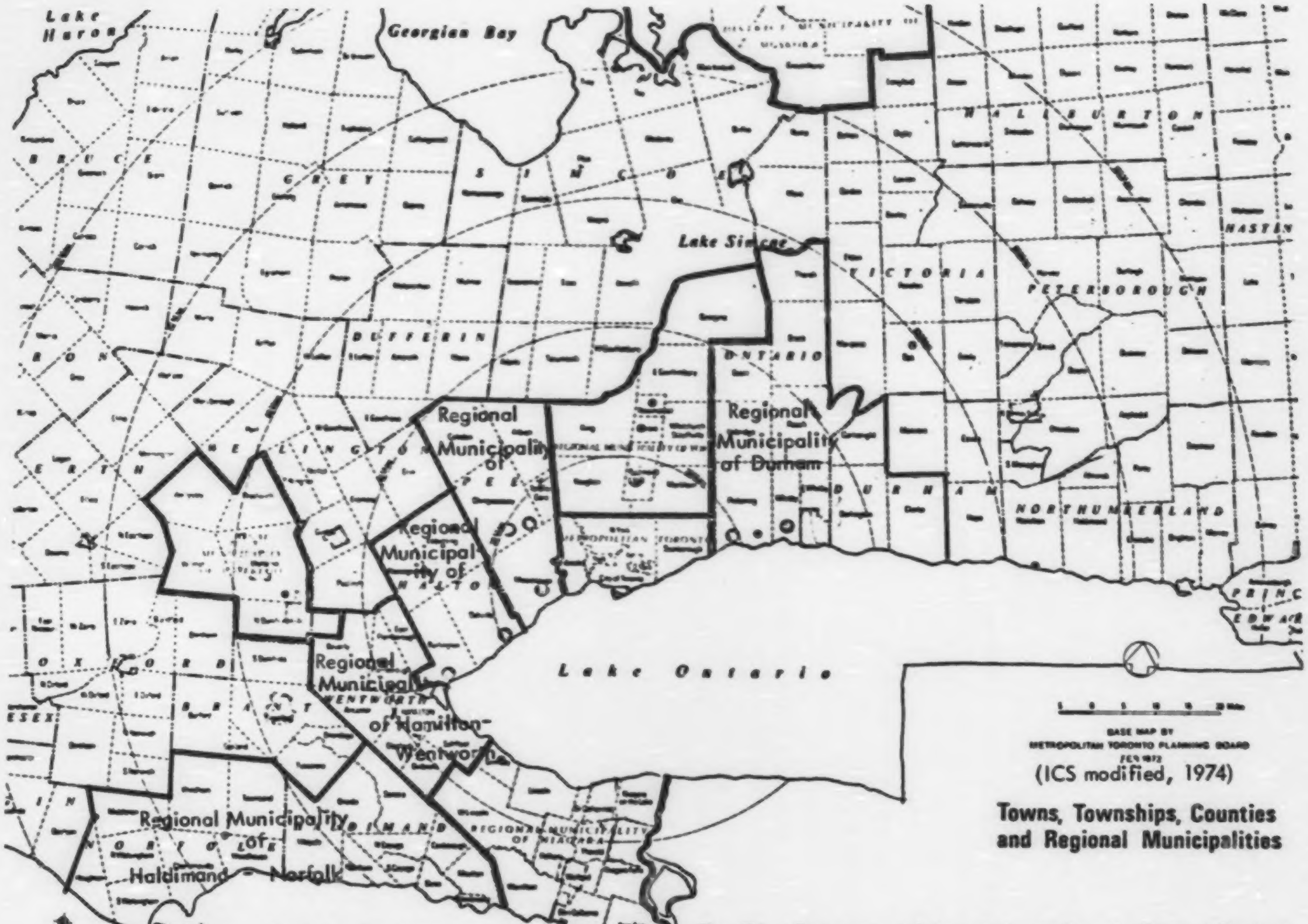
Lake Huron
Georgian Bay
Lake Simcoe
Lake Ontario
Lake Erie
BRUCE
GREY
SIMCOE
HALIBURTON
VICTORIA
PETERBOROUGH
HASTIN
DUFFERIN
ONTARIO
DURHAM
NORTHUMBERLAND
PRINCE EDWARD
WELLINGTON
OXFORD
BRANT
ESEX
Regional Municipality of Peel
Regional Municipality of Durham
Regional Municipality of Halton
Regional Municipality of Hamilton-Wentworth
Regional Municipality of Haldimand - Norfolk
REGIONAL MUNICIPALITY OF NIAGARA
METROPOLITAN TORONTO
BASE MAP BY
METROPOLITAN TORONTO PLANNING BOARD
FEB 1972
(ICS modified, 1974)
Towns, Townships, Counties
and Regional Municipalities

Fig. 24. Governmental Boundaries in Toronto Centred Region

> As our province has become more and more urbanized, it had become increasingly apparent that the mechanism of several hundreds of small municipalities has become an inadequate means of meeting the requirements of the people of Ontario in the second half of this century. We envisage in the restructuring of municipal government on a regional basis that there will be an accompanying significant reduction in the total number of municipalities now existing in Ontario. . . .
>
> In the case of Smith Committee (Taxation) and the subsequent Select Committee Report, it was emphasized the restructuring of municipal financing can achieve maximum benefit only if, at the same time, we can achieve a more rational approach to the numbers and size of local governments. Indeed, both Committees made it clear that the reform of municipal financing and the municipal structure are required if we are to overcome the basic problems of local governments. . . .
>
> The basic aim of the Government in arriving at the policy of establishing regional governments is to make local government as strong and meaningful as possible. As our society becomes more complex, the people of Ontario to whom governments are responsible must be able to participate in the decisions and direction of their government. If our municipal partners are unable to cope with the problems they face because of their small size, limited financial resources and inability to provide the services which all residents of Ontario should expect, participation becomes meaningless (Robarts, 1968, p. 7).

This strong position on the reform of local government was restated in the Third Phase statements.

> This Province by its regional planning policy is attempting to guide a very careful use of the Province's resources--its land, its water and its air--in the best interests of all of our people. This policy could be frustrated, indeed contradicted, by a system of local government that feels compelled to maximize its development and its tax yields. It is a simple proposition: if over 900 municipalities believe they have the right to exploit their physical resources to minimize tax burdens, the rationale use of our resources will be lost (McKeough, 1972).

The role of local government was seen as one of assistance and cooperation with the provincial programs of reform. Stating the role as a contradictory one between being "creatures of the province" and having local autonomy based upon local political accountability was an oversimplification of the relationship between the province and its municipalities, from the province's point of view.

> Reconciling the formal legal base of power with the realities of political responsibility is not easy, but to describe the relationship in terms of "local autonomy," or of local governments being "creatures of the province," only serves to misrepresent the complexities of the relationship. The most important consideration is that there is far too much at stake for

> all levels of government to allow local government to isolate itself from the others in the hope of gaining what is at best a very illusory autonomy. Ultimately, they are all responsible to the same electorate, although in different ways and for different things. It is most relevant to talk in terms of enlightened responsible government, with all three levels having complementary roles to play in meeting the needs of the public, both in general and in terms of particular communities and needs (Farrow, 1973, pp. 7-8).

Traditional means of expansion of boundaries were viewed as having certain inherent deficiencies. Consolidation through annexation and amalgamation was successful for the short term, but in the long run as development spread beyond the boundaries, problems began to reappear. Too, annexation in the Canadian system resulted in loss of population and tax base to the county, thus weakening that unit of government.

The second traditional approach of creating special purpose districts on a larger area basis pose the problems with which the literature abounds, dilution of local accountability, unrepresentativeness, and insensitivity to the broader issues of urban life.

Eight general criteria were followed by the Province in designating regional governments:

1. A region should exhibit a sense of community identity based on sociological characteristics, economics, geography and history.
2. A region should have a balance of interests so that no one group or interest can completely dominate the region.
3. There must be a financial base adequate to carry out regional programs at a satisfactory level.
4. The region should be large enough so that local responsibilities can be performed efficiently by taking advantage of economies of scale.
5. Regional boundaries should facilitate maximum inter-regional co-operation.
6. Participation by all communities in the discussions leading to the formation of a regional government. This does not include the power to veto.
7. New regional government boundaries should be usable by other institutions. This refers to local units of education and, particularly, to Provincial departments and agencies, in getting the kind of problem experienced in this country of many federal categorical regional programs with differing geographical jurisdictions.
8. In cases of two-tier governments, both tiers should be designed with the same criteria.

Within these general criteria, there were more specific standards enunciated by the province which reflect the characteristics that the regional governments were expected to assume.

1. Size. A population of from 150,000 to 200,000 was suggested as the minimum population for a regional government in order to achieve an efficient provision of most local services. However, there would have to be exceptions to this standard in sparsely populated areas to permit continued access by individuals to their government. The minimum population suggested for municipalities was 8,000 to 10,000.

2. Shape. The region should include not only the major urban centers but also its rural hinterland.

3. Internal Structure. In determining whether the structure would be one-tier or two-tier, four factors are taken into consideration:

    1) Size of the proposed region — a very large region may require lower tier municipalities in order to retain the vital element of accessibility.

    2) Population distribution within the proposed region — the degree of concentration of population will be an important factor in determining the form of Regional Government structure.

    3) Distribution of fiscal resources — these may well determine whether it is possible to have financially viable lower tier units.

    4) Physical and social geography — a range of hills, a lake, a river, or cultural and linguistic differences in a region, may lead to a decision to have two tiers in order to provide effective services and to preserve existing social communities in a region (McKeough, 1968, p. 5).

    The distribution of services between the two tiers of government is based upon an arrangement recommended by the Ontario Committee on Taxation which is virtually identical with that of Metro Toronto.

    With respect to special districts, the Province's view is that such districts should be abandoned and their powers transferred to the regional or local municipality.

4. Representation. Should be based on reasonably equal population units. The Province has no preference for either direct or indirect election, although it intends to experiment with both forms. There is precedence for the indirect system in present county government.

The rate at which regionalization should proceed was a point of difference between the Legislature and the Prime Minister. The Ontario Committee had recommended a fixed time table and the Prime Minister advocated a more selective and gradual process. His position was that all areas were not in an equally critical condition, and regional governments should be established on a problem-area priority basis with the southern part of the province receiving first attention. Other reasons for the position of the Prime Minister on rate of implementation were the lack of trained personnel to cover all of Ontario and the need for time for local opinion to form and express itself.

By April 1, 1974 eleven regional municipalities will have been formed since the Province began its program of reform of local government structure in 1966, with eight of these being in the general Toronto region. The provincial government has, thus, not deviated from the goals it set in 1966.

As firm as the province was in creating regional municipalities, the City of Toronto and Metro were equally adamant in their assertions that the latter should be permitted to expand its boundaries. Beginning in 1969 both units of government lodged protests against the creation of metros around Toronto; although the City called for amalgamation first, then expansion (Rose, 1972, p. 146).

Despite the official protests, Metro became completely hemmed in within its 240 sq mi upon passage of the acts creating Halton, Pell, and Durham. That these official concerns were not shared by the electorate became evident in the 1971 provincial elections. The Conservative Party, which had been in power during the period of developing the recommendations for the new municipalities, did better than expected in Toronto (Rose, 1972, p. 154). Ironically, the success of the Toronto experiment undoubtedly gave the Province the precedent needed for its vigorous program of local government reform.

In 1951 greater Toronto constituted 20% of the entire population of Ontario; by 1971 this had risen to 27%. It has been suggested that the Province was forestalling a potential conflict between Metro and Ontario when the Metro population reached the 40 to 50% level (Rose, 1972, p. 164).

Conclusion

The accomplishments of the Metro Toronto government are numerous. Water and sewer systems were built to accommodate the five to six million population forecast for the year 2000. All sewage received secondary treatment, a unique situation in this continent. The public transportation system is probably the best in this hemisphere. Educational plants have been constructed in the new areas, and that of Toronto's completely rebuilt and modernized. There is a readier market for bond issues and at lower cost, since it became the exclusive function of Metro. Police and welfare services were transferred from the area municipalities to Metro in 1966 and 1967 without visible protest. Metro has been criticized for its emphasis on physical services to the neglect of needed social services; it has perhaps been no faster than any other municipality in arriving at a concern with social programs. Yet, water, sewers, schools, and financial capability must be deemed high priority needs of urban residents.

The accomplishments in the services just alluded to are not the kind to cause much controversy and there was little political conflict in the early years of Metro. The newer issues — dispersal of low-income housing, conservation of neighborhoods, downtown redevelopment — are issues which will test the ability of Metro to achieve political consensus. A case in point is the commitment of the present City Council to conservation of neighborhoods and a slow-down of downtown development versus the alleged propensity of Metro for the bulldozer.

The two-tier structure of Metro was a compromise between the pressures for one city by the City of Toronto and the resistance of the suburbs to amalgamation. It was based upon a form used in the Canadian counties, wherein municipal officials sat on the county council and the cities shared the cost of county government. When compared with a one city arrangement, it undoubtedly is producing higher administrative costs as a result of two tiers of officials working in the same areas, e.g., planning and fiscal administration. Too, there are bound to be some areas of service where the division of labor between the two tiers is not well defined, such as the area of planning. Yet, when compared with the situation that existed prior to 1953 where 13 or more municipalities would have had to achieve the service improvements effected by Metro, the assignment of responsibility for regional concerns to a new level of government under a council made up of the municipal officials has to be rated as superior.

The administrative organization of Metro has its problems, particularly in the lack of central authority in the chief executive. As part of its program on the reform of local government, it can be expected that the Province will give weight to the recommendations of the Hickey report for more authority over the operations of regional governments in an appointed executive, similar to the city manager or CAO forms in the United States.

The debate over direct or indirect elections will continue. All but one of the regional municipalities in Ontario use the indirect system. The other has adopted a mixed direct-indirect method. The view of the Province is that no one system can be called superior to the others. The need is to broaden the area of responsibility of elected officials by reducing the number of municipalities, by reducing and eliminating as far as possible the number of special districts, and by bringing city and county officials together in the planning and conduct of urban services (Farrow, 1973).

The pressures by the City of Toronto for amalgamation will continue. The City does not believe that it is receiving equitable treatment under the two-tier arrangement. Although the City has enjoyed amazing growth and a reputation as one of the leading cosmopolitan cities of the world, it is the site of the bulk of the social problems in the metropolitan area. Its tax base has contributed to the growth of the boroughs, but it has not received in return the funds needed to meet the social problems unique only to the City. It sees little interest by Metro in these problems and the provincial grants system works to its disadvantage. It receives its proportionate share of grants for education, but the mathematical formula does not take into account the special services needed for inner city students: remedial services, services for exceptional and disturbed children, and the like. Right or wrong, these contentions will continue to make the City a critic of Metro and the Province.

The Canadian system of government stresses the participation of higher level officials in the reform of local government; in the United States the emphasis is upon the maximum participation of voters through local referenda. It is asserted by scholars that the U S system is no more democratic than the Canadian and, in fact, contains a built-in bias in favor of the status quo (Smallwood, 1965). It would appear in view of the Toronto experience and the many failures to reform local government in the United States that states in this country should begin to take part in the search for ways to give local government more effective control over the city's environment and better use of the area's resources.

SECTION XII

EVALUATION OF CASE STUDIES OF REGIONAL GOVERNMENTAL ARRANGEMENTS

This chapter will first give a general evaluation of the state of regional governance in the United States, based upon a review of the literature and the nine case studies. It will then describe and evaluate several patterns of regional governmental arrangements.

General Evaluation

We found that in all nine cases, what we were studying was a governmental structure that was in transition, just as metropolitan government structures were when Martin made his study ten years earlier (Martin, 1963). In every case there were current discussions among the local leaders about additional governmental change that might be desirable. This suggests that these regional governmental agencies will be changing in the future, and that their structures may be significantly modified as they continue to change and evolve.

Secondly, we found that the county was the core of metropolitan regional governmental structures; there are no multi-county general purpose regional governments. The durability of the county and its boundaries is an amazing phenomenon in the light of all the rhetoric about the county being an artificial unit of government and an outmoded relic of the horse and buggy days. With very few exceptions, what have been called metropolitan governments are urban counties — they are counties that have been given the powers of cities. In his recent study, Mogulof arrives at the same conclusion (Mogulof, 1972). Related to this phenomenon is the emergence over the past ten or fifteen years of a county reform movement aimed at modernizing county government, as is well represented by the urban counties group within the National Association of Counties, and by the newer metropolitan governments of Jacksonville/Duvall County and Indianapolis/Marion County. Thus, modernized county government has been the core of what is called metropolitan government in the United States.

Thirdly, the literature suggest that a major alternative to regional government structure would be the multi-county multi-purpose special district, but we found that this structure does not exist in the United States, for all practical purposes. We have been able to find very few multi-purpose special districts. We did case studies of two of them: The Municipality of Metropolitan Seattle has two functions, but it is essentially confined to only one county — King County; The Bi-State Development District in the St. Louis area has the authority to engage in many functions, but is operating only in transit and in a very minor way in other forms of transportation, and is not really doing anything area-wide except running a bus system. In both localities, local leaders are hopeful that they will be able to build some regional activity on the base of the existing special district. Ten years ago, Martin was very hopeful about the prospects for the multi-purpose special district (Martin, 1963, p. 86). After ten years or more of operation in both the Seattle and St. Louis areas, the multi-purpose special district seems to us to be making very little progress as a multi-county agency. What in theory seems to be a very good idea, does not seem to be working out very well in practice.

The other extant model of structuring regional government around multi-county special districts, that is, by putting multi-county single-purpose special districts under the control of a multi-county regional council, is even more rare than multi-purpose special districts. The one example we found operational is the Twin Cities Metropolitan Council. This is in many ways an interesting innovation in government, but in its present form it is a state agency, not a regional agency. Moreover, the Council has control over only one major multi-county special district — the sewer district, although it has some limited powers of approval over the capital budget of the Metropolitan Transit Commission and the Metropolitan Airports Commission, both of which are fighting against being placed under the jurisdiction of the Council. Some of the major cities and counties are opposing specific policies that the Council would like the state legislature to impose region-wide. Given the present unwillingness of the legislature to give more powers or more independence to the Council, and the unwillingness of the cities and counties and multi-county special districts to see the Council have more powers, we do not see it becoming a regional government in the near future. So, unless a similar arrangement in the Atlanta area makes a significant breakthrough, the multi-county council of the Twin Cities type still has some major problems as a regional governance form.

Out of our study of regional governments, we have one additional impression with respect to multi-county special districts, and this is that urban counties do not like to be subjected to the authority of such a district or to have major functions within the county carried out by such a district, and generally are asking the legislatures to take the activity out of the hands of the special district and put it in the hands of the county government. So we believe that the prospects of prolonged political conflict cloud the potential of multi-county special districts as a vehicle for regional decision-making.

Finally, we found that it appears that the state government will have to play a key role in metropolitan regional government, which is not particularly surprising in view of state powers over local governments. But given what many people regard as the poor record of the states in dealing with urban problems, creating what many consider to be a kind of no man's land in metropolitan areas untouched by potential state powers and out of the reach of local powers, this may not be a particularly reassuring finding. Nevertheless, we found that in most of our case studies — Metropolitan Toronto and Metropolitan Nashville/Davidson County are the exceptions — local leaders viewed additional state action as necessary before the existing regional structure could deal with what were regarded as major problems. And you will recall that the regional arrangement regarded as most innovative, the Twin Cities Regional Council, is a state agency.

The necessity of strong state urban regional policy was brought home to us by the one regional arrangement, federation, for which we had to look to an example outside the United States because there was no example inside: Metropolitan Toronto. It is well known that Toronto Metro was established by action of the provincial government, not by local action, and that when the structure was changed to combine some of the smaller municipalities, this was again done by action of the province. Perhaps some local governments in the United States will combine voluntarily into a two-tier regional system, but it doesn't seem likely to happen soon because of our home rule tradition.

So, to summarize, what we found in the United States under the label of regional governments is primarily urban counties and councils of governments, plus some multi-county single-purpose special districts, and we think the prospects of getting anything else very soon are not very good.

A Universal Problem: Where to Set the Regional Boundary

One of the striking commonalities of all of the regional governmental arrangements found in our nine case studies was that each of them was facing the old problem of adjusting their boundaries to cope with urban growth outside the boundaries. This is, of course, one of the classic problems of regional government (Fesler, 1949).

But it is also the problem that is at the root of the major criticism levelled against the system of government in metropolitan areas for the past generation or more: that the metropolitan community is split into a multiplicity of municipalities, whose boundaries are too small to deal with area-wide problems. The local governments frequently respond to this situation with intergovernmental agreements, a response which is viewed by the critics as being a temporary amelioration that prevents or delays what they regard as the more adequate response of unification of the urban area under a single area-wide government.

From this point of view, one obvious explanation of the present problem is that the boundaries of the central city have not been expanded to include new urban growth as it occurs. If the central city now included, in every metropolitan area, all of the area in which urban growth had occurred, metropolitan reform presumably would not need to be undertaken. The object of metropolitan reform is almost always to establish a government whose boundaries include the entire urban area. If the boundaries can be expanded, the metropolitan problem will be largely solved, if the literature of metropolitan reform can be believed. (Committee for Economic Development, 1966).

Thus it is disconcerting to find that the regional governmental arrangements found in our case studies have not solved this problem. In almost every case, either the local leaders, or the state and federal officials whose programs are concerned with the metropolitan area, feel that regional problems extend beyond the present boundaries, and the future will bring more problems of this type.

For example, as was noted in the chapter on Metropolitan Dade County, the problems of a rapid transit system and of another major airport include a larger region of from three to seven counties. Since there is at present no way of expanding the regional boundaries to deal with this problem, it must be dealt with by negotiation with the other counties concerned. Similar inter-county relationships are troubling the Nashville region.

Because urban growth does not stop at the boundaries of the present regional governmental arrangement, the regional boundaries are unable to keep up with the urban growth and urban problems, just as in the past the boundaries of the central city were not extended to keep up with urban growth.

And it is by no means clear that even if the regional boundaries could be expanded to meet these problems, there would not be future problems that extended across even those extended boundaries. For some problems of environmental protection, the eleven or twelve counties of South Florida would seem to be an appropriate area.

One phase of the problem is the existence of federal Standard Metropolitan Statistical Areas and of state designated regional planning and development districts. Both of these regional designations pose the threat of a regional entity different from the existing arrangement in each of our case studies in the United States.

In the case of Metropolitan Toronto, the problem has been dealt with by applying a fundamentally different principle than the one underlying the prevailing metropolitan reform movement in the United States. The province of Ontario has decided that any additional urban growth that spills over the boundaries of Metropolitan Toronto will be in the jurisdiction of one of the neighboring regional governments. This in the language of the metropolitan reform movement in the United States, will result in fractionated government — although it will be fractionated government on a much larger scale than the kind that is cited as a problem in the United States. Yet it appears to be a reasonably practical way of dealing with the problem of fitting regional boundaries to urban growth: since one must draw the line somewhere, draw it at the edge of what seems to be a reasonably manageable metropolitan region such as Metropolitan Toronto. The solution has been attacked by some Toronto leaders as being arbitrary. Similar decisions in the United States would also be attacked as arbitrary.

Thus, the universal problem of where to set the boundaries of an urban metropolitan area defies the rational solution of continued expansion as urban growth occurs, because that means setting an ever-expanding limit until growth stops. The dilemma is that a boundary is an arbitrary limit, and wherever it is set there will be problems that extend beyond it. All of our case studies are of regional governmental arrangements that have not been able to deal with this problem except by the use of arbitrary boundaries. Regional government may solve some of the problems caused by municipal boundary lines, but it does not eliminate them. Even with regional government, the boundary problem must be dealt with, usually in an arbitrary fashion.

Patterns of Regional Government

The pattern of regional governmental arrangements that has emerged from our study shows two basic patterns of organization. One pattern is based upon the urban county/municipality as the operating unit, while the other pattern is based upon the special district. The Municipality of Metropolitan Toronto is an example of a third pattern, the two-tier federation, which does not exist in the United States.

There is a fourth pattern, the contract city and urban county system in operation in Los Angeles County, which was not included in our study. This pattern does not at present exist elsewhere in the United States. Since it is essentially a voluntary system, it would seem to be more amenable to being instituted in the United States than the mandatory state action needed to institute the Toronto federated system. However, the Los Angeles pattern has existed for over twenty years without being adopted anywhere else in the United States.

The first pattern, based on the urban county/municipality, has one or more large urban municipalities (urban counties or predominant municipalities) that are the controlling or operating agencies for water, sewer, transportation or other services that are regarded as of regionwide importance. While they control or operate the activity only within their own boundaries, those boundaries contain all or a significant portion of the metropolitan region.

Generally, Dade County, Davidson County, Montgomery County and the City of San Antonio fit into this pattern. In this pattern, there is usually a regional or multi-county council of governments, of which the municipality is a voluntary member. There may also be one or two multi-county single function special districts that function in the municipality. These districts were usually established by the state government, and the municipality usually prefers that things be done differently, but has no choice in the matter. Finally, in this pattern there are usually not very many other local governments providing services in the region.

The second pattern is one in which the controlling and operating agency for what are regarded as services of region-wide importance is a special district or authority The authority may technically be a subordinate unit of a city or county, for example the Detroit Water Department as the major supplier of water for the Southeast Michigan Area, but in this pattern those departments that are areawide purveyors of services tend to be structured much like an independent authority. Generally, the Bi-State Development District, the Municipality of Metropolitan Seattle, the Southeast Michigan Council of Governments, and the Twin Cities Metropolitan Council fit into this pattern. The pattern also includes a melange of cities and counties with wide variations in population and areas. There is also a multi-county umbrella/coordinating council, usually a voluntary council of governments. The council is usually in a rivalry relationship with the special districts, and is actively seeking powers of coordination and control over them.

These two patterns (urban county/municipality or special district), plus the patterns of Metropolitan Toronto and Los Angeles County, are what is found in governmental arrangements that are labelled as regional government or metropolitan government in the literature of metropolitan reform.

If one can believe this literature, these four patterns are different from the pattern that usually exists in most metropolitan areas of the United States. That pattern is generally described as consisting of fragmented government. The impression given is of a metropolitan region with a multiplicity of local governments—usually 100 or more — consisting of a central city completely surrounded by small suburbs, which in turn are surrounded by another ring of small suburbs. Often the larger close-in suburbs are described as now having the same problems as the central cities. The counties in this typical metropolitan area do not have modernized structures, and do not undertake urban services. Special districts, when they exist, tend to be separate, uncontrollable, and with areas too small to deal with area-wide problems.

It is difficult to tell how accurately the general pattern of regional government presented in the literature reflects what actually exists in our metropolitan areas. The Census Bureau tells us that in 1972 the average (mean) number of governmental units in Standard Metropolitan Statistical Areas is 83, which tends to support the view of a multiplicity of governmental units.

Yet of the 247 SMSA's in existence on July 1, 1971, 121 or nearly 50% contained one county or less (SMSA's in New England states often contain only part of a county). Of the 99 SMSA's with under 200,000 population, 73 contained only one county, and 90 contained only two counties or less. (U.S. Bureau of the Census, 1971, pp. 890-893). This suggests that about half of our SMSA's consist of metropolitan areas that have a manageable number of local governments; while it is possible to have a multiplicity of municipalities in one county, it does not happen very often in the smaller metropolitan areas. And of the 148 SMSA's in 1971 with over 200,000 population, 29 had less than 30 units of government.

Thus it seems possible that about half of the SMSA's in the United States do not fit the pattern of fragmented government generally presented in the literature. They may instead follow a pattern of a dominant central city, a few smaller municipalities, and a relatively large proportion of their populations residing in unincorporated urban areas and depending upon the county for such urban services as they receive.

At the other end of the scale, the very large metropolitan areas with very large central cities tend to fit the pattern of the badly fragmented metropolitan area such as the widely noted 1400 local governments in the New York City metropolitan area (Wood, 1961). In between the very large metropolitan areas and those with under 200,000 population are a group of 100 or so SMSA's that tend to resemble our pattern two. Except for the Southeast Michigan Council of Governments, all of our case studies fall into this group of medium-sized SMSA's.

Evaluation of Major Patterns of Regional Governmental Arrangements

As was noted in Chapter I, the present state of comparative urban research does not offer any satisfactory methods for evaluating the performance of different types of governmental organization. Our evaluation is based on asking identical questions of informants in each of the nine cases, supplemented by information from our monitoring of a newspaper in each area for several months. The focus of the evaluation on the issue of the limitation of growth, and on the enforcement activities directed at noise pollution and visual pollution gives us a comparison based on specific activities related to environmental management. Given the present state of the art of comparative evaluative research, this appears to be a crude but reasonably effective measurement.

Our approach, then, to the question of how well the governmental structures in our case studies performed was to attempt to assess their effectiveness in terms of two criteria: (1) effectiveness in raising issues, and (2) effectiveness in enforcing policies.

For each of the three patterns of governmental arrangements illustrated by our case studies, the two criteria will be applied by asking two questions about their activities in environmental protection: (1) was the issue of controlling and limiting growth articulated? and (2) how effective was the regional agency in enforcing regulations against noise pollution and visual pollution?

Both of these are questions that explore non-routine activities of issue raising and regulation, because the actions involved are controversial in most communities. If we were to evaluate the patterns and case study agencies in terms of how well they raised the issue of region-wide sewage disposal needs and how well they enforced water pollution controls, each pattern would appear in a more favorable light, because this issue and this enforcement action are more widely accepted as proper activities for urban regional government to undertake.

It should be noted that the two questions we are asking might be regarded by some as being unfair to some of the agencies included in our case studies, because these agencies do not have the powers to undertake issue-raising or enforcement with respect to the specific activities being discussed. However, it seems to us that the lack of power is an important disadvantage for these types of agencies in activities related to environmental management.

In Pattern One, the urban county or the predominant city has generally provided an arena in which the issue of controlling and limiting growth could be raised. However, the issue has been raised more forcefully in Dade and Montgomery counties than in Davidson county and San Antonio. In all four cases there is public discussion by the governing body of the desirability of moderate growth and the possibility of limiting growth. But in discussions in Dade and Montgomery counties the idea of no growth and the possibility of an ultimate limit on growth have been brought up, while in Davidson county and San Antonio the no growth issue has not yet been raised. And the governing bodies in Dade and Montgomery counties have taken action to down zone the density of proposed developments and redevelopments to a much greater extent than has been the case in Davidson county or San Antonio.

It is difficult, then, to conclude that the governmental structure is the decisive factor in the extent to which the issue of controlling and limiting growth was articulated in these four cases. Rather, the governing bodies were reflecting the extent to which the issue was being raised by their constituents, that is the extent to which it was a community issue outside the governmental structure. In Dade county and in the State of Florida, there has been a considerable reversal of public opinion about growth in the past five years, as the enroads of rapid growth upon the Florida life-style and the environment has become more apparent. Even the Chamber of Commerce, locally and state-wide, considers preservation of the present Florida environment and life-style to be a value of such commercial importance that growth may need to be limited.

What is at stake in this issue, of course, is the extent to which the community and its local governments can tell the property owner and developer that he may not develop his property. In part, Dade and Montgomery counties reflect a less conservative attitude toward property rights because they are in metropolitan areas that have been gaining rapidly in population in the past two decades. Many of their citizens have moved to the area during that period, and have found that increasing population has made life more difficult for them, and so they are willing to consider limiting growth and protecting their own property rights by telling other property owners that no more development and growth is wanted. In Davidson county and San Antonio, the general body of citizens remains more traditional, as do the business leaders of the community, in their attitude toward development. This may be a factor of population size and growth, or of the area of the country, or of some other value-influencing factor such as the degree of urbanization, or the perception of the need to expand the area's economic base. There is also the factor of leadership, which we did not attempt to evaluate. Our tentative conclusion is that leadership and a concerned citizenry interact with each other and tend to appear together.

Structure, then, appears to be less important than political, personality, and situational factors in bringing the issue of limiting growth into the arena for discussion.

The two kinds of organization of the executive found in pattern one, the appointed administrator and the elected executive, both appeared to facilitate the articulation of the issue of growth limits. We did not have any cases in pattern one with the so-called weak executive type, so we have no data about its effectiveness.

The second criterion, of how successful were the structures in pattern one in effectively enforcing controls on noise pollution and visual pollution, reveals much the same pattern as on the criterion of issue raising on limiting growth. There was a tendency for Dade and Montgomery counties to have more effective enforcement than Davidson and San Antonio. None of the four had had much success in limiting visual pollution generally within their jurisdiction, although San Antonio had devised a way of doing so in the relatively small Paseo del Rio section of downtown, and Dade and Montgomery counties are using their planning and zoning powers to induce developers to minimize visual pollution in new development.

As was the case with the issue of growth, structure did not seem to be the determining factor in enforcement of controls on noise and visual pollution. Rather the general state of public opinion was such that visual pollution and noise pollution were not viewed as policies that should be effectively implemented, and the structure permitted local action to reflect public opinion.

To sum up, our judgement is that the structure of regional government in pattern one appear to provice an arena in which the issues of growth could be raised, but were not very effective in controlling noise and visual pollution. The existence of a reformed governmental structure of the type of pattern one (urban county/municipality) may be a surrogate for an informed citizenry and an alert leadership. And the structure of pattern one did provide an arena in which the issue could be raised, and a mechanism by which enforcement could be made effective when a sufficient body of public opinion wanted this done.

The second regional government pattern, with basic responsibility for services of regional importance assigned to region-wide special districts, will be considered with respect to the same two questions.

On the question of how well did the regional agency raise the issue of controlling and limiting growth, the cases with the special district pattern tend to be less effective than those in pattern one. The Bi-State Development District of the St. Louis area and the Southeast Michigan Council of Governments in the Detroit area did not really raise the issue at all, and the Municipality of Metropolitan Seattle did only slightly better, being primarily concerned with carrying out its functions to enable growth to continue. The issue was raised by the Twin Cities Metropolitan Council, and the Council intended to make a major effort on the problem of growth policy beginning in mid-1973. Even in this case, however, it was not clear that the constituent municipalities or the state legislature were ready to consider the issue . The central cities were concerned about declining populations, and the outer ring suburbs were concerned about developing their vacant land, and it was not clear that the Council could develop much support for growth limitation even if it were to choose to adopt such a policy.

There is difference in the extent to which a pattern based on special districts is able to respond to the issues of whether growth should be limited, as compared to a pattern based on general governments. Special districts tend to be so narrowly focused on one or two functions that they are less sensitive to an issue such as growth. Theoretically general governments, on the other hand, have to consider many different aspects of growth as it affects their wider range of activities.

On the question of how effectively they enforce regulations on noise pollution and visual pollution, the structure of Pattern Two again was judged less effective than the structure of Pattern One. In none of the case studies did the regional special district structure or council have enforcement responsibility, except for one very specialized power of the Twin Cities Metropolitan Council to regulate airport noise. In all four cases the enforcement power was lodged in the general purpose local governments of the metropolitan area, usually the cities. The Twin Cities Metropolitan Council did, as a part of its responsibility for planning in the metropolitan area, have the ability to study and consider how such things as control of noise and visual pollution should be undertaken in the metropolitan area,

Thus, on both criteria, the regional structures of Pattern Two were judged less effective than the structures of Pattern One. The Twin Cities Metropolitan Council was sufficiently different from the other three cases of Pattern Two, however, so that it was judged to be more effective than the other three cases in raising the issue of growth.

The third pattern, the federated two-tier system of the Municipality of Metropolitan Toronto, can be evaluated by use of the same questions applied to the other two patterns.

In Metropolitan Toronto, the issue of controlling and limiting growth has been raised by the second tier municipalities in opposition to the pro-growth position that has been taken by Toronto Metro. For example, the city of Toronto has imposed a 45 foot height limitation on buildings in an attempt to decelerate growth downtown until the urban facilities such as public transportation are adequate to accommodate the increased population generated by the current building boom. Some of the other municipalities have raised the no growth issue in their municipal councils, and have acted to reject any further high-rise apartment buildings because facilities such as schools were not adequate for a larger population.

Thus, while the issue of controlling and limiting growth has been raised effectively in metropolitan Toronto, it has been done by the municipalities and not by the regional government. It is the size and relative strength of the second tier governments that has resulted in the issue being raised. If it were not restrained by the actions of the second-tier municipalities, it appears that Toronto Metro would be growth-oriented and would do little to limit growth. Nevertheless, through the actions of the second-tier municipalities, in our judgement the federated system in metropolitan Toronto has been as effective in raising the growth issue as were Dade and Montgomery counties. Thus Pattern Three compares favorably to both Pattern One and Pattern Two.

Toronto Metro and its constituent municipalities come out equally well on the question of the effectiveness of enforcement mechanisms in noise pollution and visual pollution. With encouragement and support from the Ontario officials concerned with these problems, Toronto Metro in our judgement has as effective an enforcement program as the best of those found in the other eight case studies.

To sum up, in our judgement the general purpose urban units of Pattern One such as Metropolitan Dade County, Metropolitan Davidson County, San Antonio and Montgomery County were more effective or potentially more effective in raising issues of growth and in enforcing controls of noise and visual pollution than were the special districts and councils of Pattern Two. An exception must be made for the Twin Cities Metropolitan Council, which is judged to be more effective than the other cases in Pattern Two, and to be more effective than San Antonio and Davidson County but somewhat less effective than Dade and Montgomery counties in Pattern One. The federated two-tier system of Metropolitan Toronto is rated as more effective than Pattern Two and about as effective as the best organizations in Pattern One.

SECTION XIII

ENVIRONMENTAL PROTECTION AND REGIONAL GOVERNMENT

This chapter will explore some of the relationships between governmental form and environmental management. The first part of the chapter will consider what kind of regional government might be possible in the next ten or twenty years that would, in Mogulof's terms, appear to be stronger than councils of government (Mogulof, 1972), and the conditions necessary for developing regional government. The second half of the chapter will attempt to assess the usefulness of regional government structures for environmental protection purposes and discuss some of the issues raised by the interaction of federal environmental protection policies with regional government.

General Considerations

Environmental protection is closely related to fundamental factors such as population growth, economic growth, and industrial technology. Controlling pollution may require the adoption of restraints on growth and the imposition of additional costs on the economy. Thus, ideally a regional governmental structure that can effectively manage the environment should be able to restrict growth and impose the necessary economic costs on the regional economy.

But it is clear that even the national government does not have full power to restrict growth and impose economic costs, and that substantial forces exist that limit the amount of control that will be imposed by the Congress, the Executive Branch, and the Courts. It follows that no regional agency can be expected to impose controls that the national government cannot impose, despite the hopes of some federal officials that decentralization to the local level will enable us to solve problems that cannot be dealt with at the national level.

Therefore it is best to understand at the outset that we must not expect too much of regional agencies; where the national government is unable to impose restraints on growth or to impose the full economic costs of pollution control, we must not expect that any regional agency would be able to do so. Regional government will not be able to manage the environment except in the context of state and national policies and regulations.

Nevertheless, the question of what kind of regional government might be possible is relevant to agencies concerned with environmental management. In the previous chapter, we concluded that the urban municipality, usually an urban county, was the basic unit to be found in the majority of metropolitan regional governmental arrangements that exist in the United States. It appears that modernizing county government or merging a central city with the county are the kinds of changes in the direction of regional government that are found acceptable by local citizens, in preference to more drastic forms of change in governmental structure.

Thus it appears that for those interested in environmental management programs at the regional level, what might be possible would be to have a regional agency composed of some rather large size urban counties as the building blocks from which regional programs could be developed.

If the basic unit of a regional government is to be urban counties or comparable municipalities, the guiding concept in putting them together into a regional unit should be the concept of a relative balance among the basic units; the components should be urban units large enough to be effective taxing and service units (Willbern, 1973, pp. 59-62) for providing local government services (including regulation of pollution), and also large enough to be effective cooperators in regional matters when they want to work together.

To achieve this balance between units, it would be necessary to see that none of them were so much smaller or larger than the rest they could not deal with each other on relatively equal terms. Seven units, for example, is what Metropolitan Toronto has ended up with after a period of trying to operate with a larger number, some of which were much smaller than their largest colleagues.

The kind of regional government that might be attainable would of course vary with the size of the metropolitan area and the present mix of local government units. For those metropolitan areas with over one million, it may not be possible to develop any kind of balance without breaking the central city into somewhat smaller units, which would probably not be politically feasible. However, in 21 of the 32 SMSAs with over a million population, the central city had less than 42% of the total SMSA population in 1970, and many of the central cities were losing population. So it might be that, if some consolidation of suburbs were politically possible, a balance between the central city and the consolidations could be achieved. It is not clear that the urban county/municipalities approach would not be effective even in some of the larger metropolitan areas; for example, Washington, D.C., has over 750,000 population, but almost all of the population of the metropolitan area is contained within 7 municipalities.

Perhaps the best extant model for metropolitan areas with very large central cities would be the Los Angeles County contract city model. In some metropolitan areas this would require the consolidation of several counties into one county large enough to provide urban services to smaller units throughout the metropolitan area, but would leave the central city and suburban cities intact. In 1970, there were thirteen metropolitan areas whose central city had more than one million population, so they are few enough so each of them might be approached on an ad hoc basis.

At the other end of the scale there are the 99 metropolitan areas (1971 SMSA's) that have less than 100,000 population. As was noted in the last chapter, most of them do not suffer from undue fragmentation of local governments at the present time. An upgrading of the powers and capabilities of the county government, or an extension of the jurisdiction of the central city, would provide an adequate kind of regional government in almost all of these metropolitan areas. The same kind of upgrading would probably also suffice for the 48 one-county SMSA's that had populations between 100,000 and 200,000 in 1970.

This leaves about 130 SMSA's with a total population of more than 200,000 and with a central city no larger than 750,000. It is this group of metropolitan areas in which the development of one or more urban counties or a combination of major cities and urban counties might be possible. It is metropolitan areas of this size in which almost all of the regional metropolitan governments we have were established during the past twenty-five years, which suggests that metropolitan regions of this size are amenable to innovation in regional government.

It is in these metropolitan regions, then, that some kind of balanced structure of urban counties, with subordinate special purpose districts and a unifying federated council might be possible, although difficult to achieve.

Conditions for Developing Regional Governments

In the previous chapter we stated that officials of all of the regional governmental agencies included in our case studies felt that additional state action was necessary to enable the agencies to do their jobs properly. The possibility of developing regional metropolitan agencies that would be able to manage environmental protection programs would also depend heavily upon state action. There would be a need for enabling legislation, for a state policy of encouraging regional arrangements, and for a state agency to supervise and regulate the development of metropolitan regions. The state policy would need to include a policy on growth of urban areas.

More specifically, the kind of state regulation that might be needed would include the following: (1) Firm limits, both geographic and population limits beyond which the metropolitan area would not be allowed to grow. The geographic limit would be of the type applied in the Toronto area by the Province of Ontario, which requires that urban growth outside this limit will be under the jurisdiction of another regional government. Most states in the U S have established multi-county regions for planning and development purposes, which might be the basis for metropolitan regional geographic boundaries. This policy requires firm enforcement, because the procedure in the past has been that when a county becomes urbanized enough to want to be joined to a metropolitan region, the state has authorized the transfer or the federal SMSA designation has been enlarged, and the metropolitan region has welcomed the new county as a part of its growth. The idea of limits on growth will be difficult to translate into a firm set of geographic boundaries for metropolitan regions. Population growth limits will need to have somewhat flexible guidelines, but with real sanctions against an area exceeding the population limit set for it. Once the value judgement is made that a population limit is desirable, the actual limit set will necessarily be arbitrary. While it is clear that pollution problems increase with increases in population size, the present state of knowledge does not support any particular population size as the most desirable limit.

The existing mechanisms for enforcing population limits all have disadvantages. Government purchase of development rights would be the most effective, but it would be expensive. And it will be some time before public opinion will support compulsory sale by property owners of development rights to their property. Another mechanism would be the refusal of rezoning and development permits for any kind of construction as the region nears its growth limits. This mechanism faces more legal hurdles than does the mechanism of outright purchase of development rights, so it is not a mechanism that will be fully available in the near future. But state policies limiting growth could specify the withholding of state and local approval of bond issues and expenditures for the construction of roads, water mains and sewers to service facilities whose construction would provide jobs or residences in excess of those needed for the projected population limit of the region. So population limits would be difficult, but not impossible. Some mechanisms of this sort would seem to be anticipated in present EPA requirements of state planning controls for major developments in sub-state regions, for example major regional shopping centers.

(2) The limitation, previously suggested, to provide balance of the population size of the basic governmental units of the regional government. For example, no one of them might have less than 10% nor more than 25% of the total population, and the total number of units might not exceed five or seven. The purpose of this regulation is to assure a relatively small number of substantially equal basic urban governmental units for the region. Existing central cities whose population exceeded the 25% limitation could be held to very limited growth or no growth until their population reached the desired percentage, or until the idea of dividing the central city into two or three smaller municipalities might become palatable. This is one of the most difficult of the practical problems of moving from the present considerations to a more ideal future state of affairs.

(3) These strong, independent urban municipalities would be required to join together is a federated regional system, in which the units had equal powers. Membership in the regional federation would be compulsory, but participation in most of its programs would be voluntary. The constituent municipalities would be permitted to go it alone if they wanted to on most matters of regional concern. The Council would provide a forum in which the views of units in the minority could be stated, and attempts at reaching a viable consensus could be made. It is our belief that any stronger requirement would not be acceptable to most citizens in metropolitan areas at present; it will take a major effort to get them reorganized into reasonably large-sized municipalities or urban counties, and in addition the objective of balance implies that these units would have some freedom of choice. This provision would also, for example, help to assure central cities with a majority of black residents that regional policies of the white suburbs could not be imposed on them without their consent. Other kinds of arrangements are also possible: the state regulations might specify a set of minority rights on which no regional action could be imposed, or a system of extraordinary majorities or concurrent majorities might be established. The free choice provisions would, of course, not apply to state or federal regulations, which would apply uniformly on all local governments in the region unless otherwise specified. The purpose of this provision is merely to assure each constituent local government some freedom of action

on which its neighbor could not intrude, not to prevent effective state or federal regulation.

(4) Within the basic urban county/municipal units, there might need to be a provision for decentralization, so that the urban county would be a two-tier governmental system with some powers and services delegated to relatively small neighborhood units. It appears that this could be done without weakening the basic strength of the urban county/municipality as the building block for regional government.

(5) State regulations would need to protect the operating powers of the urban counties by prohibiting, or severely limiting, the use of region-wide special purpose districts. This kind of limitation might add to the cost of some service programs in those situations in which county operation of facilities did not provide the same economies of scale as operation by a larger special purpose district.

Regional Structure and Environmental Management

Within the framework of national and state programs for environmental protection, it appears that a regional metropolitan structure based on the urban county/municipality and a coordinating council would meet the needs of environmental protection at the regional level. This structure could perform the monitoring and inspection activities needed for control of air, water, solid wastes, nuclear, noise and similar types of pollution. Subject to periodic auditing by state or national agencies, this regional structure could also be the enforcement agency for many kinds of violations. Both the monitoring and enforcement functions are now being performed by at least some of the urban counties described in our case studies. Of course, no municipal unit could opt out of federal or state regulations.

The urban county/municipality regional structures would also appear to be adequate as political arenas in which environmental issues of regional concern could be articulated and discussed. If there was sufficient regional agreement on the issue, action could then be taken by the constituent urban county/municipalities. If there was not agreement at the regional level, the issue could be referred to the state level for further discussion and possible establishment of a policy which then could be implemented on the regional and local level.

There do not appear to be any special needs of federal environmental protection programs that could not be met through this kind of regional metropolitan organization backed up by state government. Obviously, just as there is a need for statewide policies even with a strong regional system, there would also be a need for nationwide programs and regulations. The inability of most metropolitan areas to control air pollution without some sort of nationwide control requiring that polluting automobile exhaust emissions be curtailed is a case in point. Similarly, regional governmental organizations, as well as states, need to be protected by national regulations against economic threats by national and multi-national corporations to move their plants out of the area if pollution control requirements are adequately enforced. Other questions need to be considered, and perhaps national policies and regulations need to be developed on such questions as the balance between the right of regional or local governments to exclude certain types of industrial or commercial establishments and the right of corporations to be protected against unreasonable requirements by local regional governments.

Of primary importance for the kind of monitoring and inspection functions to be performed at the local level in environmental management is to have this done by a unit of government large enough to be able to provide the kind of professional and paraprofessional personnel needed. In the medium-sized metropolitan areas the urban county/municipality would appear to be adequate for these purposes. In the smaller metropolitan areas, the existing city-county health departments might be adequate for inspection purposes with a little better financing and additional staff, and with some upgrading of county government, no structural change would be necessary for improved environmental management.

Issues of Regional Government for Federal Environmental Protection Programs

Four issues of regional government structure for federal environmental protection purposes should be noted. The first issue is the broad one of whether any federal agency should encourage a particular kind of regional structure at the local government level, or whether the state and local governments should have the right to decide on the kind of regional structure that is to exist, and the federal government agencies should then work with whatever kinds of regional structures that emerge from the state and local decisions.

Given the American preference for a strong system of local government, there is much to be said for leaving the responsibility for regional structure up to the states and their local governments. But there would seem to be no objection to various federal agencies indicating their preferences, based on their program needs, when the states and localities are considering governmental restructuring at the regional level.

Whether there is justification for further federal leverage of the type found in some grant programs that provide preferential treatment for regional comprehensive agencies and general purpose local units of government or require the designation of special districts is a more difficult question. Local self-government requires a considerable amount of trust that the long-run values of local decision-making outweigh the short-run needs of specific federal programs. At the same time, experience indicates that environmental protection can not be left primarily to local governments without the risk of losing effectiveness, because there are localities where other values take preference to those of environmental protection. But if a relatively strong national and state set of policies are established for environmental protection, perhaps the actual regional metropolitan governmental structure could be left to state and local decision.

The second issue is whether in terms of environmental management needs, there is any preference that might be established for a particular type of regional metropolitan governmental structure. Here, the needs would seem to be for a structure that had an adequate area and adequate enforcement powers, plus the ability to raise environmental issues for discussion even though costs to important segments of the community might be involved. As was stated in the last chapter, our case studies indicate that structure alone does not seem to be the determining factor in whether issues are raised or enforcement is effective. While we have suggested that a regional structure based on the urban county/municipality as the basic unit, and with a coordinating council, might be a more effective structure for environmental management than the structures that now exist in most metropolitan areas, it may still be to the advantage of federal pollution control programs to not specify or favor specific kinds of regional governmental organization. In many metropolitan areas, the efforts of the federal pollution control programs to encourage governmental reorganization might be viewed as unwarranted interference and might alienate some of the groups in the community whose support is necessary for environmental protection in those communities.

A third issue is whether general purpose governments, such as the urban county/municipality that we have suggested, are preferable to large special districts for purposes of environmental management. The special district that encompasses a watershed has been suggested as the kind of regional governmental organization required for water pollution control purposes, and possibly for other pollution control activities as well. There is considerable debate in the literature about the merits and deficiencies of special districts. Generally technological considerations are urged in their favor and considerations of democratic decision-making are urged against them.

For purposes of environmental management, special districts appeal to many as the best structure because their boundaries can be made to approximate the problem area, e.g. the watershed or the airshed. This form of organization also is appealing to those who believe that technological knowledge is what the organization needs to apply, because it is easier for a special technological constituency and professional staff to control a special district. The classic example is the school district controlled by the professional educators, a control that has come under increasing challenge in recent decades.

But there is also the need in environmental protection activities to have input from non-technological sources, for example from those groups generally classified as environmentalists. And in something so important as the environment, environmental management may be too important to be left to the technologists and the environmentalists; it may be so important that everyone ought to be involved in the decision-making process, which means general governments should be used instead of special districts.

Then, too, there is the matter of political power in the larger political system. General governments tend to be more in the mainstream of the larger political systems than do special districts. The history of the U S Soil Conservation Service may be instructive on that score. The Service started with a preference for watershed as the boundaries for its local soil conservation districts, based on both logical and technological considerations. But it ended with districts co-terminous with counties because of political considerations. The county-wide district fitted into the political and legislative system of the states, and that political and legislative support turned out to be more important to the Soil Conservation Service than the logical and technological considerations (Morgan, 1965).

Finally, there is a fourth issue that has been raised indirectly in the previous discussion in this chapter. That is the issue of what things regional governments are going to be allowed to decide for themselves. To what extent can they be permitted, for example, to refuse to participate in federal and state programs they don't want? This is the fundamental issue of a governmental system based on local self government, as against a government based primarily upon the centralized national government. In both Great Britain and the United States over the past six or seven decades the concept of local self government with a minimum of interference by the national government on a few matters of major national importance has been eroded as more and more matters have been designated by the national government as being of such major national interest that it must intervene. The national government in the United States has increasingly bought its way into local government decisions through programs of grants in aid that require local governments to accede to national requirements. It may be that environmental management programs are of such overriding national importance that national requirements must prevail; on the other hand, if reasonably viable local regional governments are wanted, they must be given some reasonably important decision to make. Considerable restraint on the part of the national government may be called for.

SECTION XIV

SOME CONCLUDING OBSERVATIONS

In the previous chapters, we have described the regional governmental arrangements in nine different metropolitan areas, and the basic patterns of regional arrangements that seem to us to be emerging. We have indicated what kinds of regional government might be possible, and how those organizations might fit the needs of environmental management, and pointed out some of the unresolved issues of regional government for environmental protection activities at the federal level.

This chapter will reemphasize some earlier observations, and introduce some additional observations that flow from a review of our case studies. At this point, it bears repeating that the county appears to be a significant force to reckon with in metropolitan reform.

One observation is that no pattern of regional governmental arrangements should be regarded as fixed in its final form. A number of arrangements that ten years ago appeared to be one kind of organization have taken on different characteristics in the interim, and those we have reported on in our case studies may look considerably different ten years from now. Thus any models that are used as the basis for desirable kinds of regional government structures should be periodically reevaluated in the light of further experience with them.

In each of our nine case studies, there is local dissatisfaction with the present structure or functions. Often the dissatisfaction is expressed by citizens or officials of the central city. In Nashville-Davidson county, residents of the urban area feel they are paying for or are being asked to pay for the extension of services to residents of the general services area. In the Twin Cities, Minneapolis and St. Paul officials, and county officials, have led the opposition to legislation proposed by the metropolitan council. In Toronto, after twenty years of metropolitan government, the city of Toronto still would prefer a unified metro government rather than a federation. Taken together, these examples suggest that major difficulties for regional government come not from the suburban areas but from the central cities, and that the two-tier federation model may not be attractive to central cities.

A second observation is that in most of the case studies, the structure and powers of the regional agency were adequate to deal with many regional problems. What was lacking was the political will to deal with the problems. In most cases, there were substantial local interests that did not want regional policies and programs, and the officials of the regional agencies either followed a policy of compromise or did not have enough political power to bring about regional approaches. Governmental structure at the regional level can help by guiding and focusing power, but structure is not a substitute for political power. The aggregation of political support within a region for regional policies requires officials with the political will to make the attempt. In most of our case studies, the attempt was only partially being made, because the barriers in the political system were judged to be such that regional policies could not win.

The third observation is that traditional local government structures such as counties and cities have more potential as the building blocks of regional government than do special districts, and all of these are stronger than councils of government. We are here concerned with local government based on regional organizations, not federal or state oriented regional councils. The local government based region model appears to require relatively large scale urban counties and cities as the major structural elements. In most metropolitan areas, counties and central cities are rivals of councils of government. But so are multi-purpose special districts; the Municipality of Metropolitan Seattle, for example, will have to eventually face the question of merger with King county, which will then be strengthened as a major component of regional government. And the Bi-State Development District of the St. Louis area appears to be losing out to the regional council of governments, which regards it as an obstacle to regional progress. Thus, in the St. Louis area the viable units are the cities and the counties.

If the two-tier federation is, as noted above, an uneasy compromise after twenty years, the umbrella concept for a regional council is even more nebulous. It floats above the counties and cities with no visible means of support. To the cities and counties of the region, it is a voluntary association of local governments, which they control. In the Twin Cities area, the Regional Council is a state agency, and does not have a local government base. This gives it some independence from the local governments, a situation they would prefer to change. The council is completely dependent upon the state legislature, whose creature it is. It is a state umbrella, partially opened over the metropolitan region.

The fourth set of observations focus on the regional government as an agency of various federal programs and agencies. It is an umbrella suspended from the federal ceiling, held up by cords of federal money. The federal clearinghouse concept, as Mogulof said, means that the council of governments will be pulled in two different directions. As a clearinghouse, it is expected to make judgements and take actions that may be perceived as harmful by member counties and cities. This contradicts its original function of protecting and serving its members (Mogulof, 1971, p. 28). Further confusion is added when federal agencies grant funds irrespective of the council recommendations. The federal categorical programs have a fragmenting effect on any overall regional unity because they are not subject to the decisions of the regional council.

The hope that some definitive regional structure can be brought into existence which will save the federal administrator the difficulties of working through cooperative arrangements with strong-willed local officials appears futile. The role of the federal agency in guiding and promoting cooperative behavior among local political jurisdictions for various program areas appears to be never-ending. At the same time, from the point of view of the local governments, the federal umbrella is merely a hurdle that must be climbed over with some loss of dignity in order to get funds desperately needed for local programs.

Our final observation is that each of the regional governmental arrangements in our case studies demonstrates the possibilities of successful structural reform. It has been done in the states of Washington, Minnesota, Missouri, Tennessee, Maryland, Florida and Texas, as well as in Indiana, Louisiana, Virginia and California which were not included in our case studies. If structural change has come about in these states, it can be done in almost every state, if the desirability of such change can be demonstrated. But thus far, the changes that have been brought about have primarily strengthened the counties and the major cities. This suggests that a possible agenda for regional governmental reform could be aimed at state programs to make counties and cities more effective, combined with state controls on the incorporation and development of new municipalities.

SECTION XV

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